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MEDLEN & CARROLL LLP
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DARIDON WI 53121-1004
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KNAUTH-12014

TO: (PLEASE PRINT)

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56210

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56210

Client Code / Matter No.: KNAUTHE-12014

June 5, 2006

\$630.00

Description: U.S. National Entry Filing Fee



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/581,918	Gabriele Multhoff	KNAUTHE-12014

INTERNATIONAL APPLICATION NO.

PCT/EP04/13858

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

12/06/2004

12/05/2003

J. Mitchell Jones
Medlen & Carroll
101 Howard Street, Suite 350
San Francisco, CA 94105

CONFIRMATION NO. 1880

371 FORMALITIES LETTER



OC000000022050027

Date Mailed: 01/18/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/06/2006
- Copy of the International Search Report filed on 06/06/2006
- Preliminary Amendments filed on 06/06/2006
- U.S. Basic National Fees filed on 06/06/2006
- Priority Documents filed on 06/06/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
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For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/581,918	PCT/EP04/13858	KNAUTHE-12014

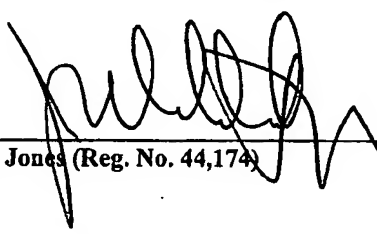
PTO Rec'd PCT/PTO **06 JUN 2006** **JMJ**
 Serial No.: **File No.: KNAUTH-12014** **By: LRG**
 In The Matter of the Application Of: **Gabriele Multhoff** **SMM**
 Date Mailed: **05 June 2006**
 Due Date: **05 June 2006**
 The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

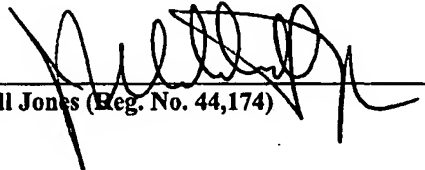
<input type="checkbox"/> Design Patent Application	Pages	<input type="checkbox"/> Trademark Application	Pages
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<input type="checkbox"/> Form PTO-1533 (Not. of Missing Parts)		<input checked="" type="checkbox"/> Prelim. Amendment	WD 2005/054868 A1
<input type="checkbox"/> Certificate Res. Sequence Listing		<input checked="" type="checkbox"/> PCT/Rb/134	
<input type="checkbox"/> Sequence Listing (Paper Copy and CFF)		<input checked="" type="checkbox"/> PCT/ISA/130	
<input type="checkbox"/> Req. Under 37 CFR 1.821(a) to Use CFF		<input checked="" type="checkbox"/> PCT/ISA/137	
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10/581918

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		Attorney Docket No. KNAUTHE-12014
		U.S. Application No.
International Application No. PCT/EP2004/013858	International Filing Date: 06 December 2004 (06.12.04)	Priority Date Claimed: 05 December 2003 (05.12.03)
Title Of Invention: Compositions And Methods For The Treatment And Diagnosis Of Neoplastic And Infectious Diseases		
APPLICANT(S) FOR DO/EO/US MULTHOFF, Gabriele		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none">1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.4. <input checked="" type="checkbox"/> The US has been elected (Article 31).5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input checked="" type="checkbox"/> have not been made and will not be made.8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none">11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.13. <input checked="" type="checkbox"/> A preliminary amendment.14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.15. <input type="checkbox"/> A substitute specification.16. <input type="checkbox"/> A power of attorney and/or change of address letter.17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825; Sequence Listing in Paper Copy; Certificate of Sequence Listing.18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).20. <input checked="" type="checkbox"/> Other items or information: WO 2005/054868 A1; Indications Relating To Deposited Microorganisms Or Other Biological Material (PCT/RO/134); and Notification of Transmittal of International Search Report And The Written Opinion Of The International Searching Authority, Or The Declaration (PCT/ISA/220; PCT/ISA/210; PCT/ISA/237).		

U.S. Application No.		International Application No. PCT/EP2004/013858		Attorney's Docket No. KNAUTHE-12014	
				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic National Fee		\$ 300.00		\$300.00	
22. <input checked="" type="checkbox"/> Examination Fee				\$200.00	
<input type="checkbox"/> If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		\$ 100.00			
<input checked="" type="checkbox"/> All Other Situations		\$ 200.00			
23. <input checked="" type="checkbox"/> Search Fee				\$400.00	
<input type="checkbox"/> Search Fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$ 100.00			
<input checked="" type="checkbox"/> International Search Report prepared and provided to the Office		\$ 400.00			
<input type="checkbox"/> All Other Situations		\$ 500.00			
Total of 21, 22 and 23 =				\$900.00	
Additional Fee For Specification and Drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of Additional or Fraction Thereof (round up to a whole number)		RATE	
67 - 100	0/50 =	0 x 250		\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
TOTAL CLAIMS	12 - 20 =	0	x \$50.00		\$0.00
INDEPENDENT CLAIMS	1 - 3 =	0	x \$200.00		\$0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)	+ \$360.00	yes	+ \$360.00		\$360.00
TOTAL OF ABOVE CALCULATIONS =				\$1,260.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2					
SUBTOTAL =				\$630.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0.00	

U.S. Application No.	International Application No. PCT/EP2004/013858	Attorney's Docket No. KNAUTHE-12014
TOTAL NATIONAL FEE =		\$630.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$0.00
TOTAL FEES ENCLOSED =		\$630.00
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		Charged: \$
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$630.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge any my Deposit Account No. <u>08-1290</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>d. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>08-1290</u>. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>Send All Correspondence To:</p> <p>J. Mitchell JONES MEDLEN & CARROLL, LLP 101 Howard Street, Suite 350 San Francisco, California 94105 Phone: 415-904-6500 Fax: 415-904-6510</p> <p style="text-align: right;">  J. Mitchell Jones (Reg. No. 44,174) <u>6-5-06</u> Date </p>		

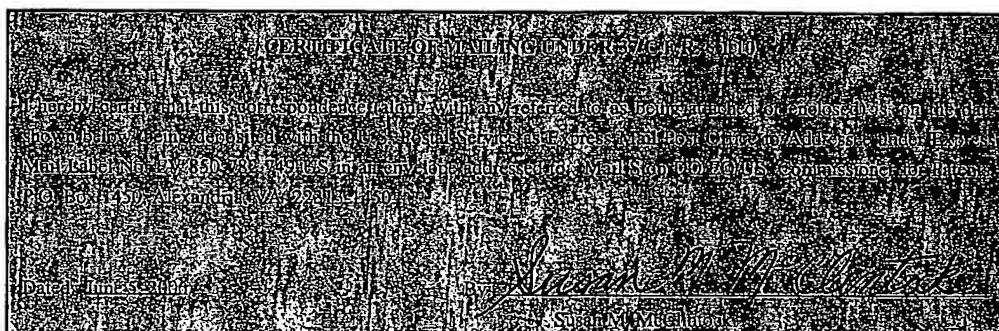
U.S. Application No.	International Application No. PCT/EP2004/013858	Attorney's Docket No. KNAUTHE-12014
TOTAL NATIONAL FEE =		\$630.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$0.00
TOTAL FEES ENCLOSED =		\$630.00
		Amount To Be Refunded: \$
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<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p>		
<p>Send All Correspondence To:</p> <p>J. Mitchell JONES MEDLEN & CARROLL, LLP. 101 Howard Street, Suite 350 San Francisco, California 94105 Phone: 415-904-6500 Fax: 415-904-6510</p>		
		<p> J. Mitchell Jones (Reg. No. 44,174)</p> <p><u>6-5-06</u> Date</p>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gabriele MULTHOFF
PCT Serial No.: PCT/EP2004/013858
U.S. Serial No.: not yet assigned
International Date: 12/06/04
Priority Date: 12/05/03
Entitled: **Compositions And Methods For The Treatment And Diagnosis Of
Neoplastic And Infectious Diseases**

PRELIMINARY AMENDMENT

Mail Stop DO/EO/US
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Dear Sir/Madam:

This Preliminary Amendment is being filed concurrently with the application referenced above. It is not believed that any additional fees are necessary. However, if any fees are due, Applicants hereby authorize the Commissioner of the Patent and Trademark Office to charge Attorney Deposit Account No. 08-1290 the fee(s) associated with this communication. Please reference Attorney Docket No.: KNAUTHE-12014 when charging the Attorney Deposit Account.

The following amendments are in full compliance with 35 C.F.R. §1.121.

In The Specification

Please insert as the first paragraph on page 1: --This application claims the benefit of European Patent Application No. EP 03 028 143.0, filed December 5, 2003.—

In The Claims

Please enter amended claims 1-8, 15 and 20 as well as new claims 56 and 57 as listed below.

CLAIMS

1. (original) A bispecific molecule that comprises a first binding domain which binds cell surface membrane-bound heat shock protein (Hsp) and a second binding domain which binds a member of the anti-apoptotic Bcl-2-associated athanogene (Bag) family.
2. (original) The bispecific molecule of claim 1, wherein said Hsp is Hsp70.
3. (currently amended) The bispecific molecule of claim 1 ~~or 2~~, wherein said Bag is Bag-4.
4. (currently amended) The bispecific molecule of ~~any one of claims 1 to 3~~, wherein said first binding domain binds to the C-terminal domain of the Hsp and said second binding domain binds to the C-terminal domain of the Hsp and to the C-terminal domain of Bag protein, respectively.
5. (currently amended) The bispecific molecule of ~~any one of claims 1 to 4~~ that is a bispecific immunoglobulin, wherein the first binding domain is a first immunoglobulin variable region, and the second binding domain is a second immunoglobulin variable region.
6. (currently amended) The bispecific molecule of ~~any one of claims 1 to 5~~, which is a ~~single chain or a dimeric or multimeric~~ molecule.
7. (currently amended) The bispecific molecule of ~~any one of claims 1 to 6~~, which has at least one further functional domain.
8. (currently amended) The bispecific molecule of ~~any one of claims 1 to 7~~, which is a bispecific antibody.

9. - 14. (cancelled)

15. (currently amended) ~~The bispecific molecule of claim 7 or 8, or the method of claim 14,~~
wherein said further functional domain is a cytotoxic agent or a label.

16. - 20. (cancelled)

21. (currently amended) A method of treating a tumor or infectious disease in a mammal comprising administering to the mammal a therapeutically effective dose of a bispecific molecule of any one of claims 1 to 8, or 15 ~~or 56, 57~~ ~~or a compound capable of recognizing membrane-bound Bag.~~

22. - 55. (cancelled)

56. (new) The bispecific molecule of claim 4, wherein said first binding domain binds Hsp70 at amino acid residues 454-461 or 450-463.

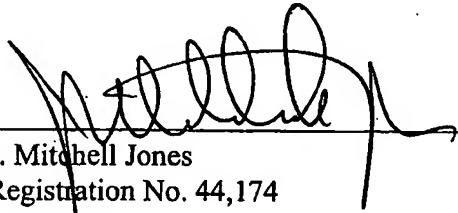
57. (new) The bispecific molecule of claim 4, wherein said second binding domain binds Bag-4 at amino acid residues 158-457 or 443-457.

REMARKS

Claims 1-8 and 15 have been amended in order to remove multiple dependencies. Furthermore, in claim 21 the dependency has been adjusted. New claims 56 and 57 further characterize the bispecific molecule of claim 4. Support for new claims 56 and 57 may be found in the description of the application as filed, for example at page 9, lines 24-31 and in the appended examples, in particular in Table 1 at pages 39 and 40. It is submitted that no new matter has been added to the application as filed.

It is respectfully submitted that the invention as claimed fully meets all requirements and that the claims are worthy of allowance. Should the Examiner believe that a telephone interview would aid in the prosecution of this application, Applicant encourages the Examiner to call the undersigned collect at (608) 218-6900.

Dated: June 5, 2006



J. Mitchell Jones
Registration No. 44,174

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
Phone: (608) 218-6900

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

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Organization
International Bureau



(43) International Publication Date
16 June 2005 (16.06.2005)

PCT

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(30) Priority Data:
03028143.0 5 December 2003 (05.12.2003) EP

(71) Applicant (for all designated States except US): MULTI-
MMUNE GMBH [DE/DE]; c/o Klinikum der Universität
zu Regensburg, Franz-Josef-Strauss-Allee 11, 93053 Re-
gensburg (DE).

(72) Inventor; and

(75) Inventor/Applicant (for US only): **MULTHOFF**,
Gabriele [DE/DE]; Kirchenstr. 17c, 81675 München
(DE).

(74) Agent: **MÜLLER, FÖTTNER, STEINECKE**; P.O. Box
31 01 40, 80102 Munich (DE).

(81) Designated States (unless otherwise indicated, for every
kind of national protection available): AE, AG, AL, AM,

AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN,
CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI,
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Published:

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- before the expiration of the time limit for amending the
claims and to be republished in the event of receipt of
amendments
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material furnished under Rule 13bis separately from the
description

For two-letter codes and other abbreviations, refer to the "Guid-
ance Notes on Codes and Abbreviations" appearing at the begin-
ning of each regular issue of the PCT Gazette.

(54) Title: COMPOSITIONS AND METHODS FOR THE TREATMENT AND DIAGNOSIS OF NEOPLASTIC AND INFEC-
TIOUS DISEASES

(57) Abstract: Methods and compositions for the detection, prevention and treatment of infectious diseases, primary and metastatic neoplastic diseases, including, but not limited to human sarcomas and carcinomas are provided. In particular, the detection, prevention and treatment of infectious diseases and cancer mediated and/or indicated by the presence and co-localization of a member of the anti-apoptotic Bcl-2-associated athanogene (Bag) family, especially Bag4 and membrane-bound heat shock protein (Hsp) on the cell surface of diseased tissue or cells are described.

WO 2005/054868 A1

**Compositions and methods for the treatment and diagnosis of
neoplastic and infectious diseases**

5

Field of the invention

The present invention relates to methods and compositions for the detection, prevention and treatment of infectious diseases, primary and metastatic neoplastic diseases, including, but not limited to human sarcomas and carcinomas. In accordance with the present invention, the practice of the prevention and treatment of infectious diseases and cancer is mediated and/or indicated by the presence and co-localization of certain tumor markers on the cell surface of diseased tissue or cells. In particular, the present invention relates to a bispecific molecule that comprises a first binding domain which binds cell surface membrane-bound heat shock protein (Hsp), preferably Hsp70, and a second binding domain which binds a member of the anti-apoptotic Bcl-2-associated athanogene (Bag) family, preferably Bag-4. Furthermore, the present invention relates to compositions comprising said bispecific molecules and their use in methods of diagnosis and treating immune response related and other diseases including tumors. The present invention further concerns the use of an antibody capable of recognizing membrane-bound Bag protein or a binding domain thereof for the detection and/or treatment of a tumor or an infectious disease.

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Background of the invention

The era of tumor immunology began with experiments by Prehn and Main, who showed that antigens on the methylcholanthrene (MCA)-induced sarcomas were tumor specific in that transplantation assays could not detect these antigens in normal tissue of the mice (Prehn et al., J. Natl. Cancer Inst. 1 (1957), 769-778). This notion was confirmed by further experiments demonstrating that tumor specific resistance against MCA-induced tumors can be elicited in the autochthonous host, that is, the mouse in which the tumor originated (Klein et al., Cancer Res. 20 (1960), 1561-1572).

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Radiation is frequently used in cancer therapy, either as a single regimen or in combination with cytostatic drugs as radiochemotherapy. However, irradiation-resistant tumor clones are limiting the therapeutic efficiency. High cytoplasmic Hsp70 levels have been found to pro-

tect tumor cells from apoptotic cell death induced by stress stimuli or exogeneous compounds (Doong et al., *Cancer Lett.* 188 (2002), 25-32).

Heat shock proteins (Hsps) are highly conserved molecules mediating protection against lethal damage following various stress stimuli in prokaryotic and eukaryotic cells. Also under physiological conditions they support folding of non-native or misfolded proteins and prevent aggregation during proliferation and cellular differentiation (Hartl and Hayer-Hartl, *Science* 295 (2002), 1852-1858). The best characterized group of chaperones belong to the Hsp70 family. Like other stress proteins, Hsp70s are most efficient if they operate in concert with co-factors as cellular chaperone machineries. Together with J domain co-chaperones (i.e. Hsp40), they support protein folding and assist translocation across membranes (Pilon and Schekman, *Cell* 97 (1999), 679-682). ATP hydrolysis, stabilizing Hsp70-substrate complexes, is much faster in collaboration with the Hsp-interacting protein Hip (Frydman and Hohfeld, *Trends Biochem. Sci.* 22 (1997), 87-92). Apoptosis initiated either by exogenous factors (i.e. tumor necrosis factor α , TNF α), or spontaneous cross-linking of the death domain receptors (TNFR1, DR3) is blockable in the presence of the constitutively expressed Hsc70 and the stress-inducible Hsp70 (Jaattela, *Exp. Cell Res.* 248 (1999), 30-43), in concert with members of the anti-apoptotic Bcl-2-associated athanogene (Bag) family. The human members of this family are Bag-1, -2, -3, -4, -5, and 6. All of them share a highly conserved 45aa BAG domain consisting of three-helix bundles of variable length and a diverse N-terminal sequence (Takayama et al., *J. Biol. Chem.* 274 (1999), 781-786). Four Bag proteins (Bag-1, -3, -4, -6) have been reported to compete with Hip for binding to the ATPase domain of Hsp70s, and thus promote chaperone activity (Takayama and Reed, *Nat. Cell Biol.* 3 (2001), 237-241; Doong et al., *Cancer Lett.* 188 (2002), 25-32). It was also assumed that Bag proteins operate as cellular adaptors targeting Hsp70/Bag complexes to the cytosolic domain of the 55 kDa TNFR1, and thereby inhibit receptor aggregation and activation of the death domains via TRADD, FADD, TRAF, and RIP (Tschopp et al., *Curr. Biol.* 9 (1999), 381-384). Overexpression of Bag-4, also termed as the silencer of death domain (SODD) has been found to suppress TNF-induced apoptosis on the one hand (Miki and Eddy, *Mol. Cell Biol.* 22 (2002), 2536-2543). On the other hand, increased Hsp70 levels confer protection against TNF-mediated lethal shock in mice (Van Molle et al., *Immunity* 16 (2002), 685-695). Recently, Bag proteins were discussed as important co-factors, affecting the ATPase cycle of Hsp70s (Miki and Eddy, *Mol. Cell Biol.* 22 (2002), 2536-2543). The avail-

ability of hydrolyzable ATP regulates Bag binding. Apart from TNFR1, Bag proteins interact with Bcl-2, Raf-kinase, androgen-, HGF-, and PDGF receptors. Following stress, when Hsp70 levels are upregulated the Bag/receptor complexes could be replaced by Bag/Hsp70 complexes.

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Although the molecular basis for the interaction between the ATPase domain of Hsp70 and the short BAG domain of Bag-4 had been elucidated in detail (Briknarova et al., *Nat. Struct. Biol.* 8 (2001), 349-372; Sondermann et al., *Science* 291 (2001), 1553-1557), knowledge on stress-induced modulations within the plasma membrane, where apoptosis might be initiated, are limited. Previously, a tumor-selective Hsp70 plasma membrane localization was demonstrated by cell surface iodination followed by SDS-PAGE and by flow cytometry of viable tumor cells, with intact plasma membrane, using an Hsp70-specific monoclonal antibody (Multhoff et al., *Int. J. Cancer* 61 (1995), 272-279; Ferrarini et al., *Int. J. Cancer* 51 (1992), 613-619). These findings are in line with recently published data (Shin et al., *J. Biol. Chem.* 278 (2003), 7607-7616), who uncovered an abundance of Hsp, including Hsp70, in the extracellular localized part of the plasma membrane of tumor cells by proteomic analysis of surface-bound proteins (Shin et al., *J. Biol. Chem.* 278 (2003), 7607-7616). Furthermore, it was found that the amount of membrane-bound Hsp70 could be modulated by treatment of tumor cells with membrane-interactive reagents (Botzler et al., *Exp. Hematol.* 27 (1999), 470-478) or cytostatic drugs (Gehrmann et al., *J. Biol. Chem.* 383 (2002), 1715-1725). Also γ -irradiation has been found to affect Hsp70 expression levels in tumor cells (Matsumoto et al., *Cancer Lett.* 92 (1995), 127-133; Sierra-Rivera et al., *Radiat. Res.* 135 (1993), 40-45; Suzuki and Watanabe, *Biochem. Biophys. Res. Commun.* 186 (1992), 1257-1264). Since radiation is frequently used in cancer therapy (Hennequin and Favaudon, *Eur. J. Cancer* 38 (2002), 223-230; Bartelink et al., *Eur. J. Cancer* 38 (2002), 216-222), there is medical need to understand irradiation-induced effects on the induction of apoptosis and potential mechanisms of resistance (Travis, *Acta Oncol.* 41 (2002), 323-333; Shinomiya, *J. Cell Med.* 5 (2001), 240-253).

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Summary of the invention

The present invention relates to the technical field of immunology and the treatment of diseases mediated and/or indicated by the presence and co-localization of certain tumor markers on the cell surface of diseased tissue or cells. In a first aspect, the present invention relates to

a bispecific molecule that comprises a first binding domain which binds cell surface membrane-bound heat shock protein (Hsp), preferably Hsp70, and a second binding domain which binds a member of the anti-apoptotic Bcl-2-associated athanogene (Bag) family, preferably Bag-4.

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Furthermore, the present invention relates to a nucleic acid molecule or a composition of nucleic acid molecules encoding such bispecific molecules and cells transformed therewith, wherein said cells preferably expresses the bispecific molecule on their cell surface.

10 In addition, the present invention concerns the use of the mentioned bispecific molecules, nucleic acid molecules and compositions as well as cells for the preparation of a pharmaceutical composition for the targeting and/or treatment of a tumor or an infectious disease. The use of the compounds in accordance with the present invention may be accompanied by the use of further therapeutic agents such as interferons or other anti-cancer drugs.

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The present invention also concerns an antibody capable of recognizing membrane-bound Bag, preferably Bag-4, or a corresponding binding molecule, a nucleic acid molecule encoding said antibody or binding molecule, or a cell expressing said antibody or binding molecule for the preparation of a pharmaceutical composition for the targeting and/or treatment of a tumor or an infectious disease.

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It is also an object of the present invention to provide a method for diagnosing a radiation therapy resistant neoplastic disorder or infectious disease of a subject comprising assaying membrane-bound Bag and/or co-localization of Hsp and Bag protein on the cell surface of target cells in a sample from the subject, wherein the presence or increased amount of membrane-bound Bag and/or co-localized Hsp and Bag protein is indicative for the disorder.

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It is a further object of the present invention to provide the use of NK cells or an activator of NK cells for the preparation of a pharmaceutical composition for the treatment of a tumor or infectious disease in a patient which has been positively tested according to the method of the present invention. Said NK cells may be activated prior to administration to the patient or are designed to be administered in conjunction with an activator of NK cells. Preferably, said activator comprises a peptide of Hsp70 and/or a peptide of Bag protein.

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Furthermore, the present invention relates to the use of an inhibitor of the association of membrane-bound Hsp70 with a member of the anti-apoptotic Bcl-2-associated athanogene (Bag) family for the preparation of a pharmaceutical composition for the treatment of a tumor or of an infectious disease. In one embodiment said inhibitor is used as a first agent for the preparation of a pharmaceutical composition for sensitizing tumor cells or infected cells for the activity of a cytotoxic second agent.

According to another aspect, the invention relates to a method for the identification of an anti-tumor agent comprising:

- (a) providing a cell expressing Hsp and Bag on its cell surface;
- (b) treating said cell with at least one candidate compound; and
- (c) determining whether said candidate compound interferes with the association of Hsp and Bag on the cell surface of the cell.

The present invention also concerns a kit comprising an anti-Hsp and/or anti-Bag antibody; and optionally suitable means for detection, for use in the detection of intact tumor cells or cells infected by a pathogen.

In yet another embodiment of the invention the use of an antibody specifically recognizing membrane-bound Bag protein or a binding domain thereof for the detection and/or treatment of a tumor or an infectious disease is provided. Preferably, said antibody or binding domain bind to an epitope of the C-terminal localized BAG domain. Particularly preferred are embodiments, wherein said Bag protein is Bag-4.

Brief description of the drawings

Fig 1: Cytoplasmic Hsp70 and Bag-4 levels remained unaltered in colon (CX+/CX-) and pancreas (Colo+/Colo-) carcinoma sublines after γ -irradiation. Adherent growing CX+/CX- (A) and Colo+/Colo- (B) carcinoma cells were maintained either untreated (ctrl) or were irradiated (10 Gy). After a recovery period of 24 h, cell lysates were prepared, equal protein amounts (10 μ g) were run on a 10% SDS-PAGE, and transferred to nitrocellulose membranes. Western blots were stained with Hsp70-, and

Bag-4-specific antibodies (Table 1). Protein bands were analysed by densitometry. Histograms and Western blots show one representative experiment of at least 3 identical.

5 **Fig. 2:** Cell surface expression of Hsp70 and Bag-4 was upregulated on Hsp70-low expressing colon (CX-) and pancreas (Colo-) carcinoma sublines after γ -irradiation. The percentage of positive cells (left panel) and the mean fluorescence intensity (right panel) of Hsp70 and Bag-4 single stainings were determined by flow cytometry on untreated (ctrl) and γ -irradiated (10 Gy) colon (A: CX+/CX-) and pancreas (B: Colo+/Colo-) carcinoma cells, using Bag-4-specific antibodies recognizing the C-terminal localized BAG domain (Table 1). Histograms represent mean values of 5 independent experiments \pm SE; differences are indicated as p values.

15 **Fig. 3:** Cytoplasmic Hsp70 and Bag-4 levels in Bag-4 overexpressing or neo transfected HeLa cervix carcinoma cells remained unaltered after γ -irradiation. HeLa cervix carcinoma transfected with mouse Bag-4 revealed 4-fold increased cytoplasmic Bag-4 levels as compared to neo transfected or untransfected cells. HeLa Bag-4- and neo-transfected carcinoma cells were maintained either untreated (ctrl) or were irradiated (10 Gy). After a recovery period of 24 h, cell lysates were prepared and equal protein amounts (10 μ g) were run on a 10% SDS-PAGE, and transferred to nitrocellulose membranes. Western blots were stained with Hsp70-, and Bag-4-specific antibodies (Table 1). Protein bands were analysed by densitometry. Histograms and Western blots show one representative experiment of 4 identical.

25 **Fig. 4:** Cell surface expression of Hsp70 and Bag-4 was upregulated on neo transfected HeLa cells after γ -irradiation. The percentage of positive cells (left panel) and the mean fluorescence intensity (right panel) of Hsp70 and Bag-4 single stainings were determined by flow cytometry on untreated (ctrl) and irradiated (10 Gy) HeLa Bag-4/HeLa neo transfected carcinoma cells, using Bag-4-specific antibodies recognizing the C-terminal localized BAG domain (Table 1). Histograms represent mean values of 5 independent experiments \pm SE; differences are indicated as p values.

Fig. 5: Following γ -irradiation the Hsp70/Bag-4 double-positive cell population is upregulated in Hsp70/Bag-4-low expressing carcinoma sublines. Carcinoma sublines CX+/CX- (A), Colo+/Colo- (B), HeLa Bag-4/HeLa neo (C) were double-stained with Hsp70 FITC and Bag-4 PE and analysed by multiparameter flow cytometry. Values represent percentage of double-positive stained cells corrected for the non-specific staining using isotype-matched control antibodies. Only 7-AAD-negative, viable cells were gated. Dot blots illustrate one representative staining pattern of three identical experiments; mean values of Hsp70/Bag-4 positively stained cells are indicated as percentages in the upper right corner of each graph.

Fig. 6: Hsp70/Bag-4 are co-localized on the cell surface of carcinoma cells. CX+ cells were co-stained at 4°C with the Bag-4 PE- (A) and the Hsp70 FITC (B)-conjugated antibody or with isotype-matched control antibodies (E, F). Cells were mounted on slides and analysed on a fluorescence microscope. Bag-4 positively stained cells are visible in red, Hsp70 positively stained cells in green; co-localization, as an overlay of the red and green fluorescence (C) is visible in yellow. Graph I represents a higher magnification of a double-positive tumor cell. Corresponding light microscopical views are shown in graphs D, H and J. Experiments showing similar results were repeated with identical results for Colo+ cells. Scale bar, 10 μ m.

Fig. 7: Hsp70/Bag-4-low expressing carcinoma sublines are more sensitive to γ -irradiation-induced effects as compared to their high expressing counterparts. Light microscopical analysis, 3 H thymidine uptake and cell cycle analysis of either untreated (ctrl) or irradiated (10 Gy) CX+/CX- (A), Colo+/Colo- (B), and HeLa Bag-4/HeLa neo (C) cells are illustrated. Inhibition of cell growth and G2/M arrest was significantly (*, $p < 0.05$) more pronounced in Hsp70/Bag-4-low expressing carcinoma cells as compared to their Hsp70-Bag-4-high expressing counterparts. Scale bar, 200 μ m.

Detailed description of the invention

The present invention relates to methods and compositions for the diagnosis, prevention and treatment of primary and metastatic neoplastic diseases and infectious diseases and for eliciting an immune response in a human individual. In particular, according to one aspect of the invention, a bispecific molecule that comprises a first binding domain which binds cell

surface membrane-bound heat shock protein (Hsp) and a second binding domain which binds a member of the anti-apoptotic Bcl-2-associated athanogene (Bag) family is described, wherein as explained below said Bag protein is likewise exposed on the cell membrane.

- 5 The present invention is based on the observation of the dual function of heat shock protein 70 (Hsp70)/ Bag-4 membrane expression on carcinoma cells, which confer resistance to γ -irradiation and present a target for natural killer (NK) cells. In accordance with the present invention the impact of irradiation-induced effects in three independent carcinoma cell systems that differ with respect to their capacity to express Hsp70 on the cell surface was investigated. Concomitantly, the expression of Bag-4, as an Hsp70-interacting, anti-apoptotic molecule was investigated. Colon (CX+/CX-) and pancreas (Colo+/Colo-) carcinoma sublines with stable Hsp70-high and -low membrane expression were established by Hsp70 antibody-based cell sorting. Although different in their cell surface pattern, the cytoplasmic Hsp70 levels were identical in all tumor sublines, even following sublethal γ -irradiation.
- 10 Interestingly, membrane-bound Hsp70 was associated with cell surface localization of the silencer of death domain Bag-4, known to interact with the ATPase domain of Hsp70. Colocalization of Hsp70/Bag-4 on the cell surface was demonstrated by dual staining flow cytometry and immunocytochemistry. After sublethal γ -irradiation, the amount of membrane-positive cells and the mean fluorescence intensity of Hsp70/Bag-4 were selectively enhanced in CX- and Colo- carcinoma sublines with initial low cell surface expression levels.

- In addition to radiation, the effects of Bag-4 overexpression on Hsp70 expression were analysed. Stably Bag-4-transfected HeLa cervix carcinoma cells, displayed a 4-fold increase in cytosolic Bag-4 levels, as compared to untransfected or neo-vector transfected HeLa cells.
- 25 Concomitantly, membrane-expression of Bag-4 and Hsp70 was up-regulated. In response to γ -irradiation untransfected and neo-transfected HeLa cells reacted similarly to Hsp70/Bag-4-low expressing carcinoma sublines CX- and Colo-, whereas Bag-4-transfected HeLa cells were comparable to Hsp70/Bag-4-high expressing sublines CX+ and Colo+. With respect to these findings a co-regulated Hsp70/Bag-4 cell surface expression is assumed.
- 30 Functionally, membrane-bound Hsp70 in association with Bag-4 confers protection against γ -irradiation-induced effects, including G2/M arrest and growth inhibition. In contrast, irradiation-resistant, Hsp70/Bag-4-high expressing carcinoma sublines provide ideal targets for the cytolytic attack mediated by natural killer (NK) cells.

Without intending to be bound by theory it is believed that since Hsp and Bag proteins play a major role in immune responses as well as in the apoptotic pathway and have been found by the inventors to interact with each other, and being expressed on a specific subset of cells, it is reasonable to assume that agents modulating their interaction and/or activity will have beneficial, additive and preferably synergistic effects on the treatment of diseases and conditions, wherein either or both proteins are involved in. Furthermore, such agents are expected to be useful in diagnosis, where the presence or absence of either or both proteins is associated with said disease or condition. Accordingly, the present invention provides novel bispecific molecules which have binding specificity for Hsp and Bag. Certain bispecific molecules of the present invention are used for binding to antigen or to block interaction of a protein and its ligand; their use to promote interactions between immune cells and target cells however is preferred. Finally, antigen-binding molecules of the invention are used to localize immune cells, tumor cells, infected cells, anti-tumor agents, target moieties, reporter molecules or detectable signal producing agents to an antigen of interest.

In accordance with the above and as illustrated in the examples, the bispecific molecules of the present invention as well as the later described anti-Bag antibody are preferably capable of specifically binding their target antigen on a subset of viable cells, i.e. preferably tumor cells. For tumor diagnostics, for example, the bispecific molecules and antibodies, respectively, are thus particularly advantageous since their use make further preparation of the cell sample superfluous and in addition allow histochemical analyses.

In a particularly preferred embodiment of the bispecific molecule of the present invention said Hsp is Hsp70 and said Bag is Bag-4. The nucleic and amino acid sequences of Bag including Bag-4 are described in the prior art; see, e.g., WO00/14106 and Antoku et al. Biochem. Biophys. Res. Comm. 286 (2001), 1003-1010. The Hsp and Bag antigen-binding sites can be obtained by any means, for example from a monoclonal antibody, or from a library of random combinations of V_L and V_H domains. Preferably, said first and second binding domain bind to the C-terminal domain of the Hsp and Bag protein, respectively; see also Table 1 in the appended examples.

The term "bispecific molecule" includes molecules which have at least the two mentioned binding domains directly or indirectly linked by physical or chemical means. However, the bispecific molecule of the present invention may comprise further functional domains such as additional binding domains and/or moieties such as a cytotoxic agent or a label and the like. Means and methods for the preparation of multivalent, multispecific molecules having at least one specificity for a desired antigen are known to the person skilled in the art. For example, WO99/59633 describes multimeric molecules with at least one specificity for the HLA class II invariant chain (Ii) and their use for the clearance of therapeutic or diagnostic agents, autoantibodies, anti-graft antibodies, and other undesirable compounds. As used herein, unless otherwise indicated or clear from the context, antibody or binding domains, regions and fragments are accorded standard definitions as are well known in the art; see, e.g., Abbas et al., Cellular and Molecular Immunology (1991), W. B. Saunders Company, Philadelphia, PA.

Bispecific molecules of the invention can cross-link antigens on target cells with antigens on immune system effector cells. This can be useful, for example, for promoting immune responses directed against cells which have a particular antigens of interest on the cell surface. According to the invention, immune system effector cells include antigen specific cells such as T cells which activate cellular immune responses and nonspecific cells such as macrophages, neutrophils and natural killer (NK) cells which mediate cellular immune responses. Hence, bispecific molecules of the invention can have a further binding site for any cell surface antigen of an immune system effector cell. Such cell surface antigens include, for example, cytokine and lymphokine receptors, Fc receptors, CD3, CD16, CD28, CD32, CD64 and CD94. In general, antigen binding sites are provided by scFvs which are derived from antibodies to the aforementioned antigens and which are well known in the art. Antigen-binding sites of the invention which are specific for cytokine and lymphokine receptors can also be sequences of amino acids which correspond to all or part of the natural ligand for the receptor. For example, where the cell-surface antigen is an IL-2 receptor, an antigen-binding protein of the invention can have an antigen-binding site which comprises a sequence of amino acids corresponding to IL-2. Other cytokines and lymphokines include, for example, interleukins such as interleukin-4 (IL-4), interleukin-5 (IL-5) and interleukin-15 (IL-15), and colony-stimulating factors (CSFs) such as granulocyte-macrophage CSF (GM-CSF), and granulocyte CSF (G-CSF).

In addition, any one of the described bispecific molecules may contain a binding domain binding FcγRI on activated effector cells. The clinical potential of this approach for the treatment of tumors such as B cell malignancies looks most attractive. Triggering of anti-tumor immunity by expression of anti-FcγR scFv on cancer cell surface has been described by Gruel et al., Gene Ther. 8 (2001), 1721-1728.

In addition or alternatively, the bispecific molecule of the invention may comprise a binding domain binding CD3. This embodiment is particularly useful for the treatment of carcinoma; see, e.g., Riesenberger et al., J. Histochem. Cytochem. 49 (2001), 911-917, which report on the lysis of prostate carcinoma cells by trifunctional bispecific antibodies (α EpCAM x α CD3).

These and other combinations of functional domains in the bispecific molecule of the present invention and uses thereof are encompassed by the present invention.

General strategies for preparation of multispecific molecules are known in the art; see, e.g., Tomlinson et al., Methods Enzymol. 326 (2000), 461-479. For example, intermediate molecular weight recombinant bispecific and trispecific antibodies by efficient heterodimerization of single chain variable domains through fusion to a Fab-chain are described in Schoonjans et al., Biomol. Eng. 17 (2001), 193-202. Dimeric and trimeric antibodies with high avidity for cancer targeting are described in Kortt et al., Biomol. Eng. 18 (2001), 95-108. All the means, methods and applications described in the mentioned publications can be applied and adapted to the bispecific molecule of the present invention and used in accordance with teaching disclosed herein.

Once a bispecific molecule has been produced in accordance with the present invention, various assays are available to demonstrate dual or multivalent specificity of the bispecific molecules of the invention such as direct and quantitative binding assays; see, e.g., WO94/13804, WO01/80883, WO01/90192 and the mentioned publications. Biologically active bispecific molecules, for example those supposed to have anti-tumor effect can be tested in well known in vitro test set-ups and also in mouse-tumor models; see review in Beun et al., Immunol. Today 21 (1994), 2413.

Preferably, the bispecific molecule of the present invention is a bispecific immunoglobulin, wherein the first binding domain is a first immunoglobulin variable region, and the second binding domain is a second immunoglobulin variable region recognizing Hsp and Bag, respectively. Such immunoglobulin variable regions can be obtained from polyclonal or monoclonal antibodies as well as from phage display and other screening techniques for immunoglobulin like binding proteins. As mentioned, antibodies can be monoclonal antibodies, polyclonal antibodies but also synthetic antibodies as well as fragments of antibodies, such as Fab, Fv or scFv fragments etc. Antibodies or fragments thereof can be obtained by using methods which are described, e.g., in Harlow and Lane "Antibodies, A Laboratory Manual", CSH Press, Cold Spring Harbor, 1988 or EP-A 0 451 216 and references cited therein. For example, surface plasmon resonance as employed in the BIAcore system can be used to increase the efficiency of phage antibodies which bind to an epitope of Hsp or Bag (Schier, Human Antibodies Hybridomas 7 (1996), 97-105; Malmberg, J. Immunol. Methods 183 (1995), 7-13). The production of chimeric antibodies is described, for example, in WO89/09622. Methods for the production of humanized antibodies are described in, e.g., EP-A1 0 239 400 and WO90/07861. A further source of antibodies to be utilized in accordance with the present invention are so-called xenogeneic antibodies. The general principle for the production of xenogeneic antibodies such as human antibodies in mice is described in, e.g., WO 91/10741, WO 94/02602, WO 96/34096 and WO 96/33735.

Polyclonal and monoclonal antibodies against Hsp and Bag are described in the background section and in the appended examples. A particularly suitable source for anti-Hsp70 antibodies and binding domains are monoclonal antibody cmHsp70.1 as produced by hybridoma cmHsp70.1, deposited with the DSMZ-Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH, Mascheroder Weg 1b, D-38124 Braunschweig, Germany on November 14, 2003, and assigned Accession Number DSM ACC2629, and cmHsp70.2 as produced by the hybridoma cmHsp70.2, deposited with the DSMZ-Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH on November 14, 2003, and assigned Accession Number DSM ACC2630. These antibodies as well as derivatives thereof are described in detail in applicant's co-pending application "Therapeutic and diagnostic anti-Hsp70 antibodies", filed on the same day as the present application, i.e. on December 6, 2004, claiming priority from European patent application No. 03028144.8, the disclosure content of which is incorporated herein by reference.

As mentioned before, the bispecific molecule of the present invention can be a dimeric, multimeric or single chain molecule. In single chain bispecific molecules the binding domains, preferably Fv regions, are linked by a peptide linker, which allows the domains to associate to form a functional antigen binding site; see, e.g., WO88/09344, WO92/01047. Peptide linkers used to produce scFvs are flexible peptides selected to assure proper three-dimensional folding and association of the V_L and V_H domains and maintenance of target molecule binding-specificity. Generally, the carboxy terminus of the V_L or V_H sequence is covalently linked by such a peptide linker to the amino terminus of a complementary V_H or V_L sequence. The linker is generally 10 to 50 amino acid residues, but any length of sufficient flexibility to allow formation of the antigen binding site is contemplated. Preferably, the linker is 10 to 30 amino acid residues. More preferably the linker is 12 to 30 amino acid residues. Most preferably is a linker of 15 to 25 amino acid residues. Example of such linker peptides include three times (Gly-Gly-Gly-Gly-Ser).

In a preferred embodiment, the bispecific molecule of the present invention is a bispecific antibody. The bispecific antibodies may comprise Fc constant regions, for example for association of the polypeptide chains comprising the binding domains. In addition to providing for association of the polypeptide chains, Fc constant domains contribute other immunoglobulin functions. The functions include activation of complement mediated cytotoxicity, activation of antibody dependent cell-mediated cytotoxicity and Fc receptor binding. When antigen-binding proteins of the invention are administered for treatment or diagnostic purposes, the Fc constant domains can also contribute to serum half-life. The Fc constant domains can be from any mammalian or avian species. When antigen binding proteins of the invention are used for treatment of humans, constant domains of human origin are preferred, although the variable domains can be non-human. In cases where human variable domains are preferred, chimeric scFvs can be used. Further means and methods for the production of bispecific antibodies are described in the art; see, e.g., WO97/14719 which describes a process for producing bispecific or bivalent double head antibody fragments, which are composed of a binding complex containing two polypeptide chains, and WO01/80883. Furthermore, the bispecific molecules of the invention can be optimized in their avidity for antigen(s) while maintaining their ability to function as a natural antibody, including the ability to activate complement mediated cytotoxicity and antibody dependent cellular toxicity; see, e.g., WO01/90192.

The bispecific molecules of the present invention preferably have a specificity at least substantially identical to the binding specificity of the natural ligand or binding partner of the Hsp or Bag protein. A binding domain binding Hsp or Bag can have a binding affinity of at least 10^{-5} M, preferably higher than 10^{-7} M and advantageously up to 10^{-10} M. In a preferred embodiment, the bispecific molecule has an affinity of at least about 10^{-7} M, preferably at least about 10^{-9} M and most preferably at least about 10^{-11} M for either or both Hsp and Bag.

Furthermore, the present invention relates to a nucleic acid molecule or a composition of nucleic acid molecules encoding the bispecific molecule of the present invention. In particular, said nucleic acid molecules encode at least the binding domains, for example the variable region of an immunoglobulin chain of any one of the before described antibodies. The nucleic acid molecules are preferably operably linked to expression control sequences. Usually, the nucleic acid molecule(s) will be part of (a) vector(s), preferably expression vectors used conventionally in genetic engineering, for example, plasmids; see also the references cited herein. In addition, the present invention relates to a cell comprising the nucleic acid molecule or composition described above. The cell may be a prokaryotic host cell including gram negative as well as gram positive bacteria such as, for example, *E. coli*, *S. typhimurium*, *Serratia marcescens* and *Bacillus subtilis*, or a eukaryotic cell or cell line including yeast, higher plant, insect and preferably mammalian cells, most preferably NSO and CHO cells. In a particularly preferred embodiment said cell is a natural killer (NK) cell. Preferably, said cell is capable of expressing the bispecific molecule of the invention, for example such that the bispecific molecule or its subunits are secreted through the cell membrane. Suitable cells for the DNA sequences and host cells for immunoglobulin expression and secretion can be obtained from a number of sources, such as the American Type Culture Collection ("Catalogue of Cell Lines and Hybridomas," Fifth edition (1985) Rockville, Maryland, U.S.A., which is incorporated herein by reference). The present invention also envisages cells, which express the bispecific molecule of the invention or its binding domains such that they are localized on the cell membrane. In this embodiment, the bispecific molecule of the invention or its binding domains may function as cell membrane receptors, for example for the attraction of complement cells.

The present invention also relates to a method for producing the bispecific molecule of the invention comprising cross-linking a first binding domain which binds Hsp and a second binding domain which binds Bag. Conventional techniques for the production of bispecific proteins, preferably antibody fragments, are known to person skilled in the art; see, e.g.,
5 WO98/04592 and references cited therein. Starting material such as intact antibodies can be obtained according to methods known in the prior art; see literature cited supra and Current Protocols in Immunology, Codigan et al. eds., John Wiley + Sons. It is also known from the art how to carry out the individual reaction and purification steps; see the example and, e.g., Brennan et al. Science 229 (1985), 81-83; Jung et al. Eur. J. Immunol. 21 (1991), 2491-2495.

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The present invention also relates to a method for producing a bispecific molecule of the present invention comprising culturing the above described cell under appropriate conditions and isolating the bispecific molecule or portions thereof. A variety of chemical and recombinant methods have been developed for the production of bispecific and/or multivalent molecules such as antibody fragments. For review, see Holliger and Winter, Curr. Opin. Biotechnol. 4 (1993), 446-449; Carter et al., J. Hematotherapy 4 (1995), 463-470; Plückthun and Pack, Immunotechnology 3 (1997), 83-105. For example, bispecificity and/or bivalency has been accomplished by fusing two scFv molecules via flexible linkers, leucine zipper motifs, CHCL-heterodimerization, and by association of scFv molecules to form bivalent monospecific diabodies and related structures. Multispecificity or multivalency has been achieved
15 by the addition of multimerization sequences at the carboxy or amino terminus of the scFv or Fab fragments, by using for example, p53, streptavidin and helix-turnhelix motifs. For example, by dimerization via the helix-turn-helix motif of an scFv fusion protein of the form (scFv1)-hinge-helix-turn-helix-(scFv2), a tetravalent bispecific miniantibody is produced
20 having two scFv binding sites for each of two target antigens. Production of IgG type bispecific antibodies, which resemble IgG antibodies in that they possess a more or less complete IgG constant domain structure, has been achieved by chemical cross-linking of two different IgG molecules or by co-expression of two antibodies from the same cell. Chemical cross-linking is described in, e.g., Merchant et al., Nat. Biotechnology 16 (1998), 677-681.
25 Furthermore, the production of homogeneous population of bivalent, bispecific molecules that bind to one antigen at one end and to a second antigen at the other end are described; see, e.g., Colonna and Morrison, Nat. Biotechnology 15 (1997), 159-163. Further means and methods for the expression and purification of bispecific molecules such as bispecific re-

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combinant antibody fragments derived from antibodies are known in the art; see, e.g., Dincq et al, Protein Expr. Purif. 22 (2001), 11-24.

Furthermore, the present invention relates to a composition comprising in one or more compartments, the bispecific molecule or chemical derivatives thereof, the nucleic acid molecule or above described composition or the cell of the invention. The composition of the present invention may further comprise a pharmaceutically acceptable carrier. The term "chemical derivative" describes a molecule that contains additional chemical moieties that are not normally a part of the base molecule. Such moieties may improve the solubility, half-life, absorption, etc. of the base molecule. Alternatively the moieties may attenuate undesirable side effects of the base molecule or decrease the toxicity of the base molecule. Examples of such moieties are described in a variety of texts, such as Remington's Pharmaceutical Sciences. Examples of suitable pharmaceutical carriers are well known in the art and include phosphate buffered saline solutions, water, emulsions, such as oil/water emulsions, various types of wetting agents, sterile solutions etc. Compositions comprising such carriers can be formulated by well known conventional methods. These pharmaceutical compositions can be administered to the subject at a suitable dose. Administration of the suitable compositions may be effected by different ways, e.g., by intravenous, intraperitoneal, subcutaneous, intramuscular, topical or intradermal administration. Aerosol formulations such as nasal spray formulations include purified aqueous or other solutions of the active agent with preservative agents and isotonic agents. Such formulations are preferably adjusted to a pH and isotonic state compatible with the nasal mucous membranes. Formulations for rectal or vaginal administration may be presented as a suppository with a suitable carrier.

The dosage regimen will be determined by the attending physician and clinical factors. As is well known in the medical arts, dosages for any one patient depends upon many factors, including the patient's size, body surface area, age, the particular compound to be administered, sex, time and route of administration, general health, and other drugs being administered concurrently. A typical dose can be, for example, in the range of 0.001 to 1000 μg (or of nucleic acid for expression or for inhibition of expression in this range); however, doses below or above this exemplary range are envisioned, especially considering the aforementioned factors. Generally, the regimen as a regular administration of the pharmaceutical composition should be in the range of 1 μg to 10 mg units per day. If the regimen is a con-

tinuous infusion, it should also be in the range of 1 μ g to 10 mg units per kilogram of body weight per minute, respectively. Progress can be monitored by periodic assessment. Dosages will vary but a preferred dosage for intravenous administration of DNA is from approximately 10^6 to 10^{12} copies of the DNA molecule. The compositions of the invention may be administered locally or systemically. Administration will generally be parenterally, e.g., intravenously; DNA may also be administered directly to the target site, e.g., by biolistic delivery to an internal or external target site or by catheter to a site in an artery. Preparations for parenteral administration include sterile aqueous or non-aqueous solutions, suspensions, and emulsions. Examples of non-aqueous solvents are propylene glycol, polyethylene glycol, vegetable oils such as olive oil, and injectable organic esters such as ethyl oleate. Aqueous carriers include water, alcoholic/aqueous solutions, emulsions or suspensions, including saline and buffered media. Parenteral vehicles include sodium chloride solution, Ringer's dextrose, dextrose and sodium chloride, lactated Ringer's, or fixed oils. Intravenous vehicles include fluid and nutrient replenishers, electrolyte replenishers (such as those based on Ringer's dextrose), and the like. Preservatives and other additives may also be present such as, for example, antimicrobials, anti-oxidants, chelating agents, and inert gases and the like. Furthermore, the pharmaceutical composition of the invention may comprise further agents such as interleukins or interferons depending on the intended use of the pharmaceutical composition. Furthermore, the pharmaceutical composition may also be formulated as a vaccine, for example, if the pharmaceutical composition of the invention comprises a bispecific molecule described above for passive immunization.

Therapeutic or diagnostic compositions of the invention are administered to an individual in a therapeutically effective dose sufficient to treat or diagnose disorders as mentioned above. The effective amount may vary according to a variety of factors such as the individual's condition, weight, sex and age. Other factors include the mode of administration. The pharmaceutical compositions may be provided to the individual by a variety of routes such as by intracoronary, intraperitoneal, subcutaneous, intravenous, transdermal, intrasynovial, intramuscular or oral routes. In addition, co-administration or sequential administration of other agents may be desirable. A therapeutically effective dose refers to that amount of bispecific molecule of the invention sufficient to ameliorate the symptoms or condition. Therapeutic efficacy and toxicity of such compounds can be determined by standard pharmaceutical procedures in cell cultures or experimental animals, e.g., ED₅₀ (the dose therapeutically effec-

tive in 50% of the population) and LD50 (the dose lethal to 50% of the population). The dose ratio between therapeutic and toxic effects is the therapeutic index, and it can be expressed as the ratio, LD50/ED50.

- 5 For use in diagnosis, a variety of techniques are available for labeling biomolecules, are well known to the person skilled in the art and are considered to be within the scope of the present invention. Such techniques are, e.g., described in Tijssen, "Practice and theory of enzyme immuno assays", Burden, RH and von Knippenburg (Eds), Volume 15 (1985), "Basic methods in molecular biology"; Davis LG, Dibmer MD; Battey Elsevier (1990), Mayer et al., (Eds) "Immunochemical methods in cell and molecular biology", Academic Press, London (1987), or in the series "Methods in Enzymology", Academic Press, Inc. There are many different labels and methods of labeling known to those of ordinary skill in the art. Commonly used labels comprise, inter alia, fluorochromes (like fluorescein, rhodamine, Texas Red, etc.), enzymes (like horse radish peroxidase, β -galactosidase, alkaline phosphatase),
10 radioactive isotopes (like ^{32}P or ^{125}I), biotin, digoxigenin, colloidal metals, chemi- or bioluminescent compounds (like dioxetanes, luminol or acridiniums). Labeling procedures, like covalent coupling of enzymes or biotinyl groups, iodinations, phosphorylations, biotinylations, random priming, nick-translations, tailing (using terminal transferases) are well known in the art. Detection methods comprise, but are not limited to, autoradiography, fluorescence
15 microscopy, direct and indirect enzymatic reactions, etc.
- In addition, the above described compounds etc. may be attached to a solid phase. Solid phases are known to those in the art and may comprise polystyrene beads, latex beads, magnetic beads, colloid metal particles, glass and/or silicon chips and surfaces, nitrocellulose strips, membranes, sheets, animal red blood cells, or red blood cell ghosts, duracytes and the
25 walls of wells of a reaction tray, plastic tubes or other test tubes. Suitable methods of immobilizing bispecific molecules of the invention on solid phases include but are not limited to ionic, hydrophobic, covalent interactions and the like. The solid phase can retain one or more additional receptor(s) which has/have the ability to attract and immobilize the region as defined above. This receptor can comprise a charged substance that is oppositely charged with
30 respect to the reagent itself or to a charged substance conjugated to the capture reagent or the receptor can be any specific binding partner which is immobilized upon (attached to) the solid phase and which is able to immobilize the reagent as defined above.

Commonly used detection assays can comprise radioisotopic or non-radioisotopic methods. These comprise, inter alia, RIA (Radioisotopic Assay) and IRMA (Immune Radioimmunometric Assay), EIA (Enzym Immuno Assay), ELISA (Enzyme Linked Immuno Assay), FIA (Fluorescent Immuno Assay), and CLIA (Chemiluminescent Immune Assay). Other
5 detection methods that are used in the art are those that do not utilize tracer molecules. One prototype of these methods is the agglutination assay, based on the property of a given molecule to bridge at least two particles.

The present invention also relates to a kit comprising a bispecific molecule of the invention.
10 Such kits are useful for a variety of purposes including but not limited to forensic analyses, diagnostic applications, and epidemiological studies in accordance with the above described diseases and disorders. Such a kit would typically comprise a compartmentalized carrier suitable to hold in close confinement at least one container. The carrier would further comprise reagents for detection such as labeled antigen or enzyme substrates or the like.

15 As is described in the examples, it has surprisingly been found that Bag-4 is expressed and localized on the cell surface of tumor cells. Therefore, besides using the above described bispecific molecules of the invention, an antibody capable of recognizing membrane-bound Bag or a corresponding binding molecule, a nucleic acid molecule encoding said antibody or
20 binding molecule, or a cell expressing said antibody or binding molecule can be used for the preparation of a composition for the detection, targeting and/or treatment of a tumor or an infectious disease. Preferably, the nucleic acid molecule encoding an antibody capable of recognizing membrane-bound Bag or a corresponding binding molecule is in a form suitable for expression of the bispecific molecule on the cell surface for the preparation of a pharmaceutical composition for the targeting of a cell to a tumor cell or to a cell infected by a
25 pathogen.

Accordingly, the embodiments described with respect to the bispecific molecule of the invention can also be applied to antibodies and other molecules capable of recognizing membrane-bound Bag such as, for example, bi- or multispecific molecules which comprise a first
30 binding domain recognizing an epitope of Bag displayed on the cell surface, and a further functional domain, for example a binding domain capable of binding to a cell of the immune system and/or comprising a cytotoxic molecule or label as described herein.

As described before, the compositions of the present invention are useful in diagnosis, prophylaxis, vaccination or therapy. Accordingly, the present invention relates to the use of the bispecific molecule, the nucleic acid molecule or composition or the cell of the present invention for the preparation of a pharmaceutical or diagnostic composition for the treatment of diseases related to a disorder of the immune response, preferably for the treatment of infectious diseases, sepsis, diabetes or for the treatment of tumors. Preferably, the tumor to be treated or diagnosed is selected from the group consisting of glioblastoma, medulloblastoma, astrocytoma, primitive neuroectoderm, brain stem glioma cancers, colon carcinoma, bronchial carcinoma, squamous carcinoma, sarcoma, carcinoma of colon, cervix or pancreas, carcinoma in the head/neck, T cell lymphoma, B cell lymphoma, mesothelioma, leukemia, melanoma, gynecological tumors such as prostate, and meningeoma.

For these embodiments, the bispecific molecules or anti-Bag antibodies of the invention can be chemically or biosynthetically linked to anti-tumor agents or detectable signal-producing agents; see also supra. Antitumor agents linked to a bispecific molecule, for example a bispecific antibody, include any agents which destroy or damage a tumor to which the antibody has bound or in the environment of the cell to which the antibody has bound. For example, an anti-tumor agent is a toxic agent such as a chemotherapeutic agent or a radioisotope. Suitable chemotherapeutic agents are known to those skilled in the art and include anthracyclines (e.g. daunomycin and doxorubicin), methotrexate, vindesine, neocarzinostatin, cis-platinum, chlorambucil, cytosine arabinoside, 5-fluorouridine, melphalan, ricin and calicheamicin. The chemotherapeutic agents are conjugated to the antibody using conventional methods; see, e.g., Hermentin and Seiler, *Behring Inst. Mitt.* 82 (1988), 197-215.

Detectable signal-producing agents are useful in vivo and in vitro for diagnostic purposes. The signal producing agent produces a measurable signal which is detectable by external means, usually the measurement of electromagnetic radiation. For the most part, the signal producing agent is an enzyme or chromophore, or emits light by fluorescence, phosphorescence or chemiluminescence. Chromophores include dyes which absorb light in the ultra-violet or visible wavelength range, and can be substrates or degradation products of enzyme catalyzed reactions.

The invention further contemplates bispecific molecules of the invention to which target or reporter moieties are linked. Target moieties are first members of binding pairs. Anti-tumor

agents, for example, are conjugated to second members of such pairs and are thereby directed to the site where the antigen-binding protein is bound. A common example of such a binding pair is avidin and biotin. In a preferred embodiment, biotin is conjugated to a bispecific molecule of the invention, and thereby provides a target for an anti-tumor agent or other moiety which is conjugated to avidin or streptavidin. Alternatively, biotin or another such moiety is linked to a bispecific molecule of the invention and used as a reporter, for example in a diagnostic system where a detectable signal-producing agent is conjugated to avidin or streptavidin. Suitable radioisotopes for use as anti-tumor agents are also known to those skilled in the art. For example, ^{131}I or ^{211}At is used. These isotopes are attached to the antibody using conventional techniques; see, e.g., Pedley et al., Br. J. Cancer 68 (1993), 69-73. Alternatively, the anti-tumor agent which is attached to the antibody is an enzyme which activates a prodrug. In this way, a prodrug is administered which remains in its inactive form until it reaches the tumor site where it is converted to its cytotoxic form once the antibody complex is administered. In practice, the antibody-enzyme conjugate is administered to the patient and allowed to localize in the region of the tissue to be treated. The prodrug is then administered to the patient so that conversion to the cytotoxic drug occurs in the region of the tissue to be treated. Alternatively, the anti-tumor agent conjugated to the antibody is a cytokine such as interleukin-2 (IL-2), interleukin-4 (IL-4), interleukin-15 (IL-15) or tumor necrosis factor alpha (TNF- α). The antibody targets the cytokine to the tumor so that the cytokine mediates damage to or destruction of the tumor without affecting other tissues. The cytokine is fused to the antibody at the DNA level using conventional recombinant DNA techniques.

As mentioned before, the above described embodiments also apply to the use of antibodies specifically recognizing membrane-bound Bag protein, preferably Bag-4, and molecules comprising a corresponding binding domain as well as nucleic acid molecules encoding such antibodies or molecules, cells transformed therewith and compositions comprising any one of those components.

The present invention further provides methods of treating a mammal having an undesirable condition associated with a disease as defined above, comprising administering to the mammal a therapeutically effective dose of any one of the above described bispecific molecules or antibodies of the invention.

Compositions comprising the bispecific molecule of this invention or a compound capable of recognizing membrane-bound Bag can be added to cells in culture (in vitro) or used to treat patients, such as mammals (in vivo). Where the bispecific molecule are used to treat a patient, the bispecific molecule is preferably combined in a pharmaceutical composition with a pharmaceutically acceptable carrier such as a larger molecule to promote stability or a pharmaceutically acceptable buffer that serves as a carrier for the bispecific molecule that has more than one unit coupled to a single entity. The methods of the invention include administering to a patient, preferably a mammal, and more preferably a human, the composition of the invention in an amount effective to produce the desired effect. The bispecific molecule can be administered as a single dose or in multiple doses. Useful dosages of the active agents can be determined by comparing their in vitro activity and the in vivo activity in animal models. For example, methods of ex vivo immunization using heterologous intact bispecific and/or trispecific antibodies are described in EP-A-885 614 and induction of a long-lasting antitumor immunity by a trifunctional bispecific antibody is reported in Ruf and Lindhofer, Blood 98 (2001), 2526-2534.

Methods for extrapolation of effective dosages in mice, and other animals, to humans are known in the art. The present invention also provides a method of modulating (e.g., activating or inhibiting) immune cell (e.g., T-cells, B-cells, NK cells, LAK cells, or dendritic cells) activation, proliferation, and/or differentiation that includes contacting an immune cell with a bispecific molecule described above.

The terms "treatment", "treating" and the like are used herein to generally mean obtaining a desired pharmacological and/or physiological effect. The effect may be prophylactic in terms of completely or partially preventing a disease or symptom thereof and/or may be therapeutic in terms of partially or completely curing a disease and/or adverse effect attributed to the disease. The term "treatment" as used herein covers any treatment of a disease in a mammal, particularly a human, and includes: (a) preventing the disease from occurring in a subject which may be predisposed to the disease but has not yet been diagnosed as having it; (b) inhibiting the disease, i.e. arresting its development; or (c) relieving the disease, i.e. causing regression of the disease.

Furthermore, the term "subject" as employed herein relates to animals in need of amelioration, treatment and/or prevention of a neoplastic or infectious disease. Most preferably, said subject is a human.

5 As mentioned before, it was found that an Hsp70 membrane-positive phenotype was associated with Bag-4 cell surface localization. Following sublethal γ -irradiation both molecules were found to be up-regulated in carcinoma cells with an initially low Hsp70 membrane expression. Functionally, an Hsp70/Bag-4 positive phenotype conferred protection against irradiation-induced effects including G2/M arrest and growth inhibition.

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Accordingly, in another embodiment the present invention relates to a method for diagnosing a radiation therapy resistant neoplastic disorder or infectious disease of a patient comprising assaying membrane-bound Bag and/or co-localization of Hsp and Bag protein on the cell surface of neoplastic cells in a sample from the patient, wherein the presence or increased
15 amount of membrane-bound Bag and/or co-localized Hsp and Bag protein is indicative for the disorder. The presence of Bag/Hsp complex can be assayed in primary tumor tissue by means such as coimmunoprecipitation with antibodies to Bag and hsp70, similar to the method of detecting tumors containing complexes of p53 and Hsp70 described in US-A-5,652,115. Samples taken from patients for use in the detecting steps described herein are
20 generally biological fluids such as serum, blood plasma, or ascites fluid. Serum and blood plasma, particularly serum, is preferred.

On the other hand a strong Hsp70/Bag-4 membrane expression provides a target recognition structure for the cytolytic attack mediated by NK cells. Thus, in a further embodiment the
25 present invention relates to the use of NK cells or an activator of NK cells for the preparation of a pharmaceutical composition for the treatment of a tumor or infectious disease in a patient which has been positively tested according to the diagnostic method described above. Said NK cells may be activated prior to administration to the patient or can be designed to be administered in conjunction with an activator of NK cells. Preferably, said activator comprises a peptide of Hsp70 and/or a peptide of Bag protein. Methods for activating NK cells
30 by the use of Hsp70 protein or fragments thereof and the medical applications of the products so obtained, such as pharmaceuticals, medicinal products or medicinal adjuvants containing Hsp70 protein or fragments thereof or activated NK cells are described in

WO99/49881. Furthermore, immunostimulatory peptides derived from Hsp70 protein and the use of such peptides for the stimulation of natural killer cell (NK cell) activity are disclosed in WO02/22656. Another method for sensitizing antigen-presenting cells and membrane vesicles with immunogenic properties, and their use for vectoring and presenting
5 antigens in vitro or in vivo and methods or compositions for treating cancers, infectious, parasitic or autoimmune diseases in particular are described in WO99/03499.

The methods described in the mentioned international applications for stimulating of NK cells can be easily adapted to the uses and methods of the present invention.

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As mentioned before, it has been found that Hsp70/Bag-4 membrane expression provides a target recognition structure for the cytolytic attack mediated by NK cells. Accordingly, it is reasonable to assume that Bag protein, especially Bag-4, can be used to elicit a strong immune response against undesired cells, such as tumor cells which, for example, by use of
15 targeted Bag expression on their cell surface display a recognition structure for NK cells. Thus, in a still further embodiment the present invention relates to the use of Bag protein or fragment thereof or an agent mimicking membrane-bound Bag in association with Hsp for the preparation of a pharmaceutical composition for inducing and/or enhancing a cytolytic attack of NK cells against undesired cells. Bag proteins are described, for example, in
20 Antoku et al., Biochem. Biophys. Res. Commun. 286 (2001), 1003-1010.

Said agent can be for example any agent which induces or enhances the expression and/or localization of Bag on the cell surface of said undesired cell. Preferably, said agent or a combination of agents induce or enhance concomitantly the expression and/or co-localiza-
25 tion of Hsp and Bag on the cell surface of a tumor cell. This also includes γ -irradiation; see also the examples. Said agent can also be comprised of at least one of the following: Hsp70 and/or Bag-4 polypeptides or fragments thereof, cells expressing Hsp70 in association with Bag-4 on their cell surface, the membrane-fraction of cells expressing Hsp70 in association with Bag-4 on their cell surface and/or anti-idiotypic antibodies of membrane-bound Hsp70
30 in association with Bag-4.

Furthermore, said pharmaceutical composition may additionally contain at least one compound which enhances an immune response; see also supra. Preferably, said undesired cells to be treated are tumor cells.

In another embodiment the present invention relates to a method for the preparation of an agent mimicking membrane-bound Hsp70 in association with Bag-4 comprising the following steps:

- 5 (a) raising antibodies specific for membrane-bound Hsp70 in association with Bag-4; and
 - (b) raising anti-idiotypic antibodies by using the antibodies of step (a) or at least part of the variable region thereof as an antigen.
- 10 One concept for immune therapy of cancer involves induction of antigen mimic antibodies to trigger the immune system into a response against the tumor cells. Anti-idiotypic antibodies (Ab2) directed against the antigen-combining site of other antibodies (Ab1) may functionally and even structurally mimic antigen and induce anti-anti-idiotypic immune response. An example of functional mimicry of an anti-idiotypic antibody to a murine monoclonal immunoglobulin (Ab1), which defines ovarian cancer antigen CA125, is described in Ma et al.,
- 15 Jpn. J. Cancer Res. 93 (2002), 78-84. A murine monoclonal anti-idiotypic antibody as a surrogate antigen for human Her-2/neu is described in Baral et al., Int. J. Cancer 92 (2001), 88-95. Further examples comprise active immunotherapy with anti-idiotypic antibody for patients with nasopharyngeal carcinoma (NPC), described by Li et al., Cancer Biother.
- 20 Radiopharm. 17 (2002), 673-679 and anti-idiotypic antibodies carrying the "internal image" of peptide YIGSR inhibit spontaneous metastasis of Lewis lung carcinoma in mice described by Koliakos et al. in In Vivo 16 (2002), 511-518. Preferably, the anti-idiotypic antibody is humanized; see also supra.
- 25 As described in the examples, the Hsp70/Bag-4 positive phenotype conferred protection against irradiation-induced effects and thus renders the corresponding tumor treatment less or even ineffective. Therefore, it is expected that inhibition of the co-localization of Hsp and Bag and/or interaction of both proteins reverse the irradiation-resistant genotype of the tumor cells. Accordingly, in a further aspect the present invention relates to the use of an inhibitor
- 30 of the association of membrane-bound Hsp70 with a member of the anti-apoptotic Bcl-2-associated athanogene (Bag) family for the preparation of a pharmaceutical composition for the treatment of a tumor.

The terms "antagonist/inhibitor" in accordance with the present invention include chemical agents that modulate the action of Bag inconjunction with Hsp or vice versa , either through altering its enzymatic or biological activity or through modulation of expression, e.g., by affecting transcription or translation. In some cases the antagonist/inhibitor may also be a substrate or ligand binding molecule.

The term "inhibitor" includes both substances which reduce the activity of the Bag protein and those which nullify it altogether. Antagonists include competitive as well as non-competitive antagonists. A competitive antagonist (or competitive blocker) interacts with or near the site of Bag specific for Hsp binding. A non-competitive antagonist or blocker inactivates the function of Bag by interacting with a site other than the Hsp interaction site. Preferably, the antagonist/inhibitor of the interaction of Bag and Hsp are small chemical agents which directly interact with Hsp and/or Bag. Therefore, there will preferably be a direct relationship between the molar amount of compound required to inhibit membrane association of Hsp and Bag and the molar amount of Bag and/or Hsp present or lacking on the cell surface.

Antagonists may be peptides, proteins, nucleic acids, antibodies, small organic compounds, peptide mimics, aptamers or PNAs (Milner, Nature Medicine 1 (1995), 879-880; Hupp, Cell 83 (1995), 237-245; Gibbs, Cell 79 (1994), 193-198; Gold, Ann. Rev. Biochem. 64 (1995), 736-797). For the preparation and application of such compounds, the person skilled in the art can use the methods known in the art, for example those referred to herein.

According to a preferred embodiment, said inhibitor binds to the ATPase domain of Hsp and/or to the corresponding binding domain of Bag. Dissection of the ATP-binding domain of the chaperone hsc70 for interaction with the cofactor Hap46 is described in Petersen et al., J. Biol. Chem. 276 (2001), 10178-10184, by using (i) screening of membrane-bound peptide libraries based on the sequence of the ATP-binding domain and (ii) the phage-display technique with random dodecapeptides. These approaches can also be used in accordance with the present invention.

In a further preferred embodiment of the present invention said inhibitor is an antibody, as disclosed above.

The antibodies which are of use in the present invention also can be made using non-human primates. General techniques for raising therapeutically useful antibodies in baboons can be found, for example, in WO91/11465 (1991) and Losman et al., Int. J. Cancer 46 (1990), 310.

Alternatively, the antibodies can be "humanized" monoclonal antibodies. Humanized monoclonal antibodies are produced by transferring mouse complementarity determining regions (CDRs) from heavy and light variable chains of the mouse immunoglobulin into a human variable domain, and then substituting human residues in the framework regions of the murine counterparts. The use of antibody components derived from humanized monoclonal antibodies obviates potential problems associated with the immunogenicity of murine constant regions when treating humans. General techniques for cloning murine immunoglobulin variable domains are described, for example, by Orlandi et al., Proc. Natl. Acad. Sci. USA 86 (1989), 3833. Techniques for producing humanized monoclonal antibodies are described, for example, by Jones et al., Nature 321 (1986), 522; Riechmann et al., Nature 332 (1988), 323; Verhoeyen et al., Science 239 (1988), 1534; Carter et al., Proc. Natl. Acad. Sci. USA 89 (1992), 4285; Sandhu, Crit. Rev. Biotech. 12 (1992), 437; and Singer et al., J. Immunol. 150 (1993), 2844.

Antibodies of the present invention also may be derived from human antibody fragments isolated from a combinatorial immunoglobulin library; see, for example, Barbas et al., Methods: A Companion To Methods In Enzymology, Vol. 2 (1991), page 119 and Winter et al., Ann. Rev. Immunol. 12 (1994), 433. Cloning and expression vectors that are useful for producing a human immunoglobulin phage library can be obtained, for example, from STRATAGENE Cloning Systems (La Jolla, CA, USA).

In addition, antibodies of the present invention may be derived from a human monoclonal antibody. Such antibodies are obtained from transgenic mice that have been "engineered" to produce specific human antibodies in response to antigenic challenge. In this technique, elements of the human heavy and light chain loci are introduced into strains of mice derived from embryonic stem cell lines that contain targeted disruptions of the endogenous heavy and light chain loci. The transgenic mice can synthesize human antibodies specific for human antigens and can be used to produce human antibody-secreting hybridomas. Methods for obtaining human antibodies from transgenic mice are described by Green et al., Nature Genet. 7 (1994), 13; Lonberg et al., Nature 368 (1994), 856; and Taylor et al., Int. Immunol. 6 (1994), 579.

All mentioned antibodies may additionally be linked to a toxic agent and/or to a detectable agent.

Alternatively, the present invention provides aptamers, which are directed against Hsp
5 and/or Bag. Aptamers are DNA or RNA molecules that have been selected from random pools based on their ability to bind other molecules. Aptamers have been selected which bind nucleic acid, proteins, small organic compounds, and even entire organisms. Aptamers in the form of so called Spiegelmers have been described by Vater and Klussmann, *Cur. Opin. Drug Disc. Devel.* 6 (2003), 253-261.

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All the above described diagnostic and medical uses are preferably applied to tumors and neoplastic cells which are resistant to radiation therapy. Different kinds of tumors which can be treated in accordance with the present invention are described above and in more detail further below.

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As already mentioned, the Hsp70/Bag-4 positive phenotype confers protection against the otherwise cited toxic effects of γ -irradiation. With the use of an inhibitor of said co-localization and/or interaction of Hsp70 and Bag-4 on the cell surface of the given target cells it is expected that said target cells, particularly tumor cells and cells infected by a pathogen, can
20 be sensitized again for the activity of cytotoxic agents such as γ -irradiation but also to anti-cancer drugs. Accordingly, in a further embodiment the present invention relates to the use of any one of the above described inhibitors as a first agent for the preparation of a pharmaceutical composition for sensitizing tumor cells for the activity of a cytotoxic second agent. This finding enables regimen to improve the effectiveness of chemotherapeutic agents which
25 otherwise would be less effective or even not effective at all.

Thus, the present invention relates to the use of the above described inhibitors for sensitizing tumor cells and infected cells for the activity of cytotoxic approaches such as apoptosis induction by chemotherapeutic drugs, γ -irradiation, and triggering of death receptors such as
30 the CD95; see also supra. In particular, the present invention relates to compositions, preferably pharmaceutical compositions, for sensitizing tumor cells, in particular cells that are positively tested for the presence of Bag and/or Hsp on their cell surface for the activity of chemotherapeutic agents.

Chemotherapy for tumors is varied, because there are so many different forms of this disease. Treatment may rely on a single anticancer medication - that is, single agent chemotherapy - or it may involve combination chemotherapy with a number of different anticancer drugs. Such drugs destroy cancer cells by preventing them from growing and dividing rapidly. In a preferred embodiment of the invention, said cytotoxic approaches induce apoptosis. An overview about apoptosis, the cell's intrinsic death program and key regulator of tissue homeostasis, is given in, e.g., Fulda and Debatin, *Curr. Med. Chem. Anti-Canc. Agents* 3 (2003), 253-262.

Many different chemotherapeutic plans are available for the treatment of including mechlorethamine, vincristine (Oncovin®), procarbazine, prednisone; doxorubicin (Adriamycin®), bleomycin, vinblastine, dacarbazine, chlorambucil (Leukeran®), procarbazine hydrochloride (Matulane®), vinblastine sulfate (Velban®) and etoposide (VP-16; VePesid®). Alternative chemotherapies comprise the use of agents such as bleomycin.

Furthermore, biological therapies are available. One of the biological therapies used for the treatment of cancer is interferon therapy. Interferons are a class of proteins that are released by virus-infected cells. They help normal cells to make antiviral proteins. Interferons also help the body to reduce tumor cell proliferation (growth and reproduction), while strengthening the body's immune response. Interferon-alpha (INF α) is a type of interferon that may be used to treat cancer.

Hence, in a preferred embodiment the present invention relates to the use of any one of the above described inhibitors for the treatment of the above described undesired cells by sensitizing target cells for the cytotoxic activity of a second agent such as staurosporine, mechlorethamine, vincristine, procarbazine, prednisone, doxorubicin, bleomycin, vinblastine, dacarbazine, chlorambucil, etoposide, mitoxantrone, genestein, phenoxodiol, interferons, drugs triggering death receptors such as the CD95, and pro-drugs and pharmaceutically acceptable salts of any one thereof. Those compounds can either be present in the same pharmaceutical composition as the inhibitor or in a separately be prepared for administration. In the latter, the pharmaceutical compositions are preferably being applicable simultaneously or sequentially. Preferably, said second agent is an apoptosis inducing agent. Most preferably, said second agent is a chemotherapeutic drug or γ -irradiation.

Said pharmaceutical composition comprising the molecules of the invention, e.g. an inhibitor as defined above, can be designed to be administered prior, during or after exposure of the tumor cells to γ -irradiation.

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Infectious diseases that can be treated or prevented by the methods of the present invention are caused by infectious agents including, but not limited to, viruses, bacteria, fungi, protozoa and parasites. Bacterial diseases that can be treated or prevented by the methods of the present invention are caused by bacteria including, but not limited to, mycobacteria rickettsia, mycoplasma, neisseria and legionella. Protozoal diseases that can be treated or prevented by the methods of the present invention are caused by protozoa including, but not limited to, leishmania, kokzidioa, and trypanosoma. Parasitic diseases that can be treated or prevented by the methods of the present invention are caused by parasites including, but not limited to, chlamydia and rickettsia.

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Viral diseases that can be treated or prevented by the methods of the present invention include, but are not limited to, those caused by hepatitis type A, hepatitis type B, hepatitis type C, influenza, varicella, adenovirus, herpes simplex type I (HSV-I), herpes simplex type II (HSV-II), rinderpest, rhinovirus, echovirus, rotavirus, respiratory syncytial virus, papilloma virus, papova virus, cytomegalovirus, echinovirus, arbovirus, huntavirus, coxsachie virus, mumps virus, measles virus, rubella virus, polio virus, human immunodeficiency virus type I (HIV-I), and human immunodeficiency virus type II (HIV-II).

Cancers that can be treated or prevented by the methods of the present invention include, but not limited to human sarcomas and carcinomas, e.g., fibrosarcoma, myxosarcoma, liposarcoma, chondrosarcoma, osteogenic sarcoma, carcinoma of the head/neck, chordoma, angiosarcoma, endotheliosarcoma, lymphangiosarcoma, lymphangioendotheliosarcoma, synovioma, mesothelioma, Ewing's tumor, leiomyosarcoma, rhabdomyosarcoma, colon carcinoma, pancreatic cancer, breast cancer, ovarian cancer, prostate cancer, squamous cell carcinoma, basal cell carcinoma, adenocarcinoma, sweat gland carcinoma, sebaceous gland carcinoma, papillary carcinoma, papillary adenocarcinomas, cystadenocarcinoma, medullary carcinoma, bronchogenic carcinoma, renal cell carcinoma, hepatoma, bile duct carcinoma, choriocarcinoma, seminoma, embryonal carcinoma, Wilms' tumor, cervical cancer, testicular

- tumor, lung carcinoma, small cell lung carcinoma, bladder carcinoma, epithelial carcinoma, glioma, glioblastoma, astrocytoma, medulloblastoma, craniopharyngioma, ependymoma, pinealoma, hemangioblastoma, acoustic neuroma, oligodendroglioma, meningioma, melanoma, neuroblastoma, retinoblastoma; leukemias, e.g., acute lymphocytic leukemia and acute myelocytic leukemia (myeloblastic, promyelocytic, myelomonocytic, monocytic and erythroleukemia); chronic leukemia (chronic myelocytic (granulocytic) leukemia and chronic lymphocytic leukemia); and polycythemia vera, lymphoma (Hodgkin's disease and non-Hodgkin's disease), multiple myeloma, and heavy chain disease.
- 5
- 10 In a specific embodiment the cancer is metastatic. In another specific embodiment, the subject having a cancer is immunosuppressed by reason of having undergone anti-cancer therapy (e.g., chemotherapy radiation) prior to administration of the compositions of the invention.
- 15 In a further embodiment, the present invention relates to a method for the identification of an anti-tumor agent comprising:
- (a) providing a cell expressing Hsp70 and Bag-4 on its cell surface;
 - (b) treating said cell with at least one candidate compound; and
 - (c) determining whether said candidate compound interferes with the association of
- 20 Hsp70 and Bag-4 on the cell surface of the cell.

The assays may be simple "yes/no" assays to determine whether there is a change in expression, function or interaction, or may comprise any one of the above described methods, for example for the detection of resistance against γ -irradiation. The assay may be made quantitative by comparing the expression or function of a test sample with the levels of expression or function in a standard sample. Modulators identified in this process are useful as therapeutic agents.

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The assay methods of the present invention can be in conventional laboratory format or adapted for high throughput. The term "high throughput" (HTS) refers to an assay design that allows easy analysis of multiple samples simultaneously, and capacity for robotic manipulation. Another desired feature of high throughput assays is an assay design that is optimized to reduce reagent usage, or minimize the number of manipulations in order to achieve

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the analysis desired. Examples of assay formats include 96-well, 384-well or more-well plates, levitating droplets, and "lab on a chip" microchannel chips used for liquid handling experiments. It is well known by those in the art that as miniaturization of plastic molds and liquid handling devices are advanced, or as improved assay devices are designed, that greater numbers of samples may be performed using the design of the present invention.

The test substances which can be tested and identified according to a method of the invention may be expression libraries, e.g., cDNA expression libraries, peptides, proteins, nucleic acids, antibodies, small organic compounds, hormones, peptidomimetics, PNAs, aptamers or the like (Milner, *Nature Medicine* 1 (1995), 879-880; Hupp, *Cell* 83 (1995), 237-245; Gibbs, *Cell* 79 (1994), 193-198 and references cited supra). The test substances to be tested also can be so called "fast seconds" of known drugs. The invention also relates to further contacting the test cells with a second test substance or mixture of test substances in the presence of the first test substance.

In the method of the invention, said cells are preferably contained in a container, for example in a well in a microtiter plate, which may be a 24, 96, 384 or 1586 well plate. Alternatively, the cells can be introduced into a microfluidics device, such as those provided by Caliper (Newton, MA, USA). In another preferred embodiment, step (b) of the method of the present invention comprises taking 2, 3, 4, 5, 7, 10 or more measurements, optionally at different positions within the container. In some embodiments of the method of the present invention, a compound known to activate or inhibit the target gene or gene product is added to the medium prior to step (b).

Preferably, in a first screen said test substance is comprised in and subjected as a collection of compounds. Said collection of compounds may have a diversity of about 10^3 to about 10^5 . Methods for the generation and use of peptidomimetic combinatorial libraries are described in the prior art, for example in Ostresh, *Methods in Enzymology* 267 (1996), 220-234 and Dorner, *Bioorg. Med. Chem.* 4 (1996), 709-715. Drug discovery by dynamic combinatorial libraries is described, for example, in *Nat. Rev. Drug Discov.* 1 (2002), 26-36 and *Drug Discov. Today* 7 (2002), 117-125.

Furthermore, the above described methods can, of course, be combined with one or more steps of any of the above described screening methods or other screening methods well known in the art. Methods for clinical compound discovery comprises for example ultrahigh-throughput screening (Sundberg, Curr. Opin. Biotechnol. 11 (2000), 47-53) for lead identification, and structure-based drug design (Verlinde and Hol, Structure 2 (1994), 577-587) and combinatorial chemistry (Salemme et al., Structure 15 (1997), 319-324) for lead optimization. Once a drug has been selected, the method can have the additional step of repeating the method used to perform rational drug design using the modified drug and to assess whether said modified drug displays better affinity according to for example interaction/energy analysis. The method of the present invention may be repeated one or more times such that the diversity of said collection of compounds is successively reduced.

Substances are metabolized after their in vivo administration in order to be eliminated either by excretion or by metabolism to one or more active or inactive metabolites (Meyer, J. Pharmacokinet. Biopharm. 24 (1996), 449-459). Thus, rather than using the actual compound or drug identified and obtained in accordance with the methods of the present invention a corresponding formulation as a pro-drug can be used which is converted into its active form in the patient by his/her metabolism. Precautionary measures that may be taken for the application of pro-drugs and drugs are described in the literature; see, for review, Ozama, J. Toxicol. Sci. 21 (1996), 323-329.

Furthermore, the present invention relates to the use of a compound identified, isolated and/or produced by any of these methods for the preparation of a composition for the treatment of tumors or infectious diseases. As a method for treatment the identified substance or the composition containing it can be administered to a subject suffering from such a disorder. Compounds identified, isolated and/or produced by the method described above can also be used as lead compounds in drug discovery and preparation of drugs or prodrugs.

This usually involves modifying the lead compound or a derivative thereof or an isolated compound as a to achieve (i) modified site of action, spectrum of activity, organ specificity, and/or (ii) improved potency, and/or (iii) decreased toxicity (improved therapeutic index), and/or (iv) decreased side effects, and/or (v) modified onset of therapeutic action, duration of effect, and/or (vi) modified pharmacokinetic parameters (resorption, distribution, metabolism

and excretion), and/or (vii) modified physico-chemical parameters (solubility, hygroscopicity, color, taste, odor, stability, state), and/or (viii) improved general specificity, organ/tissue specificity, and/or (ix) optimized application form and route by (i) esterification of carboxyl groups, or (ii) esterification of hydroxyl groups with carbon acids, or (iii) esterification of hydroxyl groups to, e.g. phosphates, pyrophosphates or sulfates or hemi succinates, or (iv) formation of pharmaceutically acceptable salts, or (v) formation of pharmaceutically acceptable complexes, or (vi) synthesis of pharmacologically active polymers, or (vii) introduction of hydrophilic moieties, or (viii) introduction/exchange of substituents on aromates or side chains, change of substituent pattern, or (ix) modification by introduction of isosteric or bioisosteric moieties, or (x) synthesis of homologous compounds, or (xi) introduction of branched side chains, or (xii) conversion of alkyl substituents to cyclic analogues, or (xiii) derivatisation of hydroxyl group to ketals, acetals, or (xiv) N-acetylation to amides, phenylcarbamates, or (xv) synthesis of Mannich bases, imines, or (xvi) transformation of ketones or aldehydes to Schiff's bases, oximes, acetals, ketals, enolesters, oxazolidines, thiozolidines or combinations thereof; and (b) formulating the product of said modification with a pharmaceutically acceptable carrier.

The various steps recited above are generally known in the art. For example, computer programs for implementing these techniques are available; e.g., Rein, Computer-Assisted Modeling of Receptor-Ligand Interactions (Alan Liss, New York, 1989). Methods for the preparation of chemical derivatives and analogues are well known to those skilled in the art and are described in, for example, Beilstein, Handbook of Organic Chemistry, Springer edition New York Inc., 175 Fifth Avenue, New York, N.Y. 10010 U.S.A. and Organic Synthesis, Wiley, New York, USA. Furthermore, peptidomimetics and/or computer aided design of appropriate derivatives and analogues can be used, for example, according to the methods described above.

Methods for the lead generation in drug discovery also include using proteins and detection methods such as mass spectrometry (Cheng et al. J. Am. Chem. Soc. 117 (1995), 8859-8860) and some nuclear magnetic resonance (NMR) methods (Fejzo et al., Chem. Biol. 6 (1999), 755-769; Lin et al., J. Org. Chem. 62 (1997), 8930-8931). They may also include or rely on quantitative structure-action relationship (QSAR) analyses (Kubinyi, J. Med. Chem. 41 (1993), 2553-2564, Kubinyi, Pharm. Unserer Zeit 23 (1994), 281-290) combinatorial

biochemistry, classical chemistry and others (see, for example, Holzgrabe and Bechtold, Pharm. Acta Helv. 74 (2000), 149-155). Furthermore, examples of carriers and methods of formulation may be found in Remington's Pharmaceutical Sciences.

- 5 Once a drug has been selected in accordance with any one of the above described methods of the present invention, the drug or a pro-drug thereof can be synthesized in a therapeutically effective amount. As used herein, the term "therapeutically effective amount" means the total amount of the drug or pro-drug that is sufficient to show a meaningful patient benefit, i.e., treatment, healing, prevention or amelioration of a condition related to a tumor or infectious
- 10 disease, or an increase in rate of treatment, healing, prevention or amelioration of such conditions. In addition or alternatively, in particular with respect to pre-clinical testing of the drug the term "therapeutically effective amount" includes the total amount of the drug or pro-drug that is sufficient to elicit a physiological response in a non-human animal test.
- 15 The invention also provides kits for carrying out the diagnostic methods and/or therapeutic regimens of the invention. Such kits comprise in one or more containers an anti-Hsp and/or anti-Bag antibody; and optionally suitable means for detection.

Most embodiments have generally been described for Bag proteins. Since, however,

20 specifically Bag-4 has been determined on tumor cells embodiments are preferred in accordance with the present invention, wherein said Bag protein is Bag-4. Most preferably, said Bag protein or fragment thereof comprises at least one epitope of the C-terminal localized BAG domain.

- 25 As already mentioned before, experiments performed in accordance with the present invention for the first time demonstrated the expression of Bag on the cell surface of target cells, particularly on tumor cells. Therefore, molecules which recognize Bag protein, in particular an epitope of the C-terminal localized BAG domain, can be used for the diagnosis and targeting of diseased cells which express Bag on their cell surface.
- 30 Thus, in a further aspect the present invention relates to the use of an antibody specifically recognizing membrane-bound Bag protein or a binding domain thereof for the detection and/or treatment of a tumor or an infectious disease. Preferably, said antibody or binding

domain bind to an epitope of the C-terminal localized BAG domain. Most preferably, said Bag protein is Bag-4.

5 Hence, as also discussed previously, all embodiments disclosed with respect to the bispecific molecules of the invention are applied to the use of said anti-Bag antibody or corresponding binding molecules as well. For example, said anti-Bag antibody or binding domain can comprise further functional domains such as those described hereinbefore, i.e. foreign binding domains and/or cytotoxic agents or labels. The sources for such anti-Bag antibodies and means for their preparation have also been discussed before.

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These and other embodiments are disclosed and encompassed by the description and examples of the present invention. Further literature concerning any one of the materials, methods, uses and compounds to be employed in accordance with the present invention may be retrieved from public libraries and databases, using for example electronic devices. For example the public database "Medline" may be utilized, which is hosted by the National Center for Biotechnology Information and/or the National Library of Medicine at the National Institutes of Health. Further databases and web addresses, such as those of the European Bioinformatics Institute (EBI), which is part of the European Molecular Biology Laboratory (EMBL) are known to the person skilled in the art and can also be obtained using internet search engines. An overview of patent information in biotechnology and a survey of relevant sources of patent information useful for retrospective searching and for current awareness is given in Berks, TIBTECH 12 (1994), 352-364.

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The above disclosure generally describes the present invention. Several documents are cited throughout the text of this specification. Full bibliographic citations may be found at the end of the specification immediately preceding the claims. The contents of all cited references (including literature references, issued patents, published patent applications as cited throughout this application and manufacturer's specifications, instructions, etc) are hereby expressly incorporated by reference; however, there is no admission that any document cited is indeed prior art as to the present invention.

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The above disclosure generally describes the present invention. A more complete understanding can be obtained by reference to the following specific examples which are provided

herein for purposes of illustration only and are not intended to limit the scope of the invention.

EXAMPLES

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The examples which follow further illustrate the invention, but should not be construed to limit the scope of the invention in any way. Detailed descriptions of conventional methods, such as those employed herein can be found in the cited literature; see also "The Merck Manual of Diagnosis and Therapy" Seventeenth Ed. ed by Beers and Berkow (Merck & Co., Inc. 2003).

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The practice of the present invention will employ, unless otherwise indicated, conventional techniques of cell biology, cell culture, molecular biology, transgenic biology, microbiology, recombinant DNA, and immunology, which are within the skill of the art. Particularly useful means and methods for the recombinant production of bispecific molecules are described in WO94/13804, WO01/80883 and WO01/90192. All references mentioned herein are incorporated in their entirety.

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Methods in molecular genetics and genetic engineering are described generally in the current editions of Molecular Cloning: A Laboratory Manual, (Sambrook et al., (1989) Molecular Cloning: A Laboratory Manual, 2nd ed., Cold Spring Harbor Laboratory Press); DNA Cloning, Volumes I and II (Glover ed., 1985); Oligonucleotide Synthesis (Gait ed., 1984); Nucleic Acid Hybridization (Hames and Higgins eds. 1984); Transcription And Translation (Hames and Higgins eds. 1984); Culture Of Animal Cells (Freshney and Alan, Liss, Inc., 1987); Gene Transfer Vectors for Mammalian Cells (Miller and Calos, eds.); Current Protocols in Molecular Biology and Short Protocols in Molecular Biology, 3rd Edition (Ausubel et al., eds.); and Recombinant DNA Methodology (Wu, ed., Academic Press). Gene Transfer Vectors For Mammalian Cells (Miller and Calos, eds., 1987, Cold Spring Harbor Laboratory); Methods In Enzymology, Vols. 154 and 155 (Wu et al., eds.); Immobilized Cells And Enzymes (IRL Press, 1986); Perbal, A Practical Guide To Molecular Cloning (1984); the treatise, Methods In Enzymology (Academic Press, Inc., N.Y.); Immunochemical Methods In Cell And Molecular Biology (Mayer and Walker, eds., Academic Press, London, 1987); Handbook Of Experimental Immunology, Volumes I-IV (Weir and Blackwell, eds., 1986).

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Reagents, cloning vectors, and kits for genetic manipulation referred to in this disclosure are available from commercial vendors such as BioRad, Stratagene, Invitrogen, and Clontech. General techniques in cell culture and media collection are outlined in Large Scale Mammalian Cell Culture (Hu et al., Curr. Opin. Biotechnol. 8 (1997), 148); Serum-free Media (Kitano, Biotechnology 17 (1991), 73); Large Scale Mammalian Cell Culture (Curr. Opin. Biotechnol. 2 (1991), 375); and Suspension Culture of Mammalian Cells (Birch et al., Bioprocess Technol. 19 (1990), 251); Extracting information from cDNA arrays, Herzel et al., CHAOS 11, (2001), 98-107.

EXPERIMENTAL PROCEDURES

Cells and cell culture

The human colon carcinoma sublines CX+, and CX-, generated from the parental cell line CX2 (Tumorzellbank, DKFZ Heidelberg, Germany) by cell sorting, using the mouse anti-human Hsp70-specific monoclonal antibody (C-terminus, aa₄₅₀₋₄₆₃, clone cmHsp70.1, multimmune GmbH, Regensburg, Germany), were cultured in RPMI 1640 medium (Gibco, Eggenstein, Germany) supplemented with 10% heat-inactivated FCS (Gibco), 1% antibiotics (penicillin/streptomycin, Gibco), 2 mM L-glutamine (Gibco). The human pancreas carcinoma sublines Colo+ and Colo- were sorted from the original cell line Colo 357 (CAMR Centre for Applied Microbiology & Research, Salisbury, Wiltshire, U.K.) following the protocol described for CX+/ CX- cells (Multhoff et al., J. Immunol. 158 (1997), 4341-4350). Growth conditions of pancreas and colon carcinoma sublines were comparable. Exponential cell growth was maintained by regular cell passages. Every 3 days cells were trypsinized for 1 min with trypsin/ EDTA (Gibco) and single cell suspensions were seeded at a constant cell density of 0.5×10^6 cells in 5 ml medium in T25 ventilated small culture flasks (Greiner, Nuertingen, Germany).

The human cervix carcinoma cell line HeLa was stably transfected either with an expression vector harboring mouse Bag-4 cDNA (pcDNA-SODD, access code Q8CI61) or with the corresponding control vector (neo). Eight micrograms of DNA were electroporated into 5×10^6 cells using a BioRad gene pulser (750 V, 25 μ F, 200 Ohm, 0.4 cm cuvettes), and cells were selected in G418 (0.3 mg/ ml, Calbiochem, San Diego, California, U.S.A.) containing medium (Eichholtz-Wirth et al., Cancer Lett. 194 (2003), 81-89). Individual subclones stably overexpressing mouse Bag-4, were isolated and cultured, as described above.

Plating efficiency, doubling time and protein content in Hsp70 high- and low-expressing CX+/CX-, Colo+/Colo- and HeLa Bag-4/HeLa neo cells were comparable under physiological conditions.

5 γ -Irradiation

Exponentially growing, carcinoma cells were exposed to γ -irradiation, delivered by a ^{137}Cs source at a dose rate of 1 Gy per 10 sec, on day 2 following cell passage, either fractionated (2 x 2 Gy to 5 x 2 Gy), or with single doses of 1 x 10 Gy and 1 x 20 Gy. Cell viability was determined in the adherent and non-adherent cell population by trypan blue exclusion assays using light microscopy and by Annexin-V FITC staining on a flow cytometer (FACSCalibur, Becton Dickinson, Heidelberg, Germany).

SDS-PAGE and Western blot analysis

Cell pellets (1.0×10^6 cells) were washed in PBS and solubilized in lysis buffer (120 mM sodium chloride, 40 mM Tris pH 8.0, 0.5% NP40). Proteins were denatured in sample buffer (25 mM Tris hydrochloride pH 6.8, 2% SDS, 10% glycerol, 10% mercaptoethanol, and bromphenol blue) by boiling for 10 min. Equal protein amounts (10 μg) were administered to 10% SDS-PAGE under reducing conditions (Laemmli, Nature 227 (1970), 680-685). After electrophoresis proteins were transferred onto nitrocellulose membranes and blotted according to a protocol of Towbin (Towbin et al., Proc. Natl. Acad. Sci. U.S.A. 76 (1979), 4350-4354). The following antibodies, diluted 1: 1000 were used for Western blotting (Table 1):

25 **Table 1:** List of antibodies used for Western blot analysis (W), flow cytometry (F), immunohistochemistry (I), and antibody blocking studies (B).

Antibody	Specificity	recognition site	assay
cmHsp70.1 monoclonal	Hsp70	C-terminus, aa ₄₅₄₋₄₆₁	W, F, I, B
LR-1 monoclonal	Hsp70	C-terminus, aa ₄₅₀₋₄₆₃	W, F, B
H-300	Bag-4	C-terminus, aa ₁₅₈₋₄₅₇	W, F, I, B

polyclonal			
N-19 polyclonal	Bag-4	N-terminus	W, F, B
IMG-152 polyclonal	Bag-4	C-terminus, aa ₄₄₃₋₄₅₇	W, F, B
C-16 polyclonal	Bag-1	C-terminus	W, F
FL-274 polyclonal	Bag-1	Full length, aa ₁₋₂₇₄	W, F

The sources of the antibodies were as follows: mouse anti-human Hsp70 (C-terminus, aa₄₅₀₋₄₆₃, clone cmHsp70.1, multimmune GmbH, Regensburg, Germany), rabbit anti-human Bag-4/SODD (C-terminus, H-300; Santa Cruz Biotechnology, Santa Cruz, California, U.S.A.), rabbit anti-human Bag-4/SODD (C-terminus, aa₄₄₃₋₄₅₇, IMG-152, Imgenex, San Diego, U.S.A.), goat anti-human Bag-4/SODD (N-terminus, N19; Santa Cruz Biotechnology), goat anti-human Bag-1 (C-terminus; C-16, Santa Cruz Biotechnology), rabbit anti-human Bag-1 (full length; FL-274, Santa Cruz Biotechnology), mouse anti-human tubulin (clone DM1A, Oncogene, Boston, U.S.A.). After incubation with the corresponding horseradish peroxidase-conjugated secondary antibodies (DAKO, Glostrup, Denmark), also diluted 1:1000, protein bands were visualized by chemiluminescence (ECL detection-kit, Amersham Biosciences, Little Chalfont, U.K.). Autoradiographs were recorded on X-omat films (Kodak, Stuttgart, Germany). Pre-stained standard protein-markers (Amersham Biosciences) were used for estimating the molecular weights of each protein.

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Flow cytometry

Tumor cells were counted and 0.1×10^6 cells were incubated with a FITC-conjugated Hsp70 monoclonal antibody (clone cmHsp70.1, multimmune GmbH) for 15 min at 4°C. Following washing in PBS/ 10% heat-inactivated FCS, cells were incubated with one of the following Bag-specific antibodies: Bag-4 (H-300, N-19, Santa Cruz Biotechnology; and IMG-152, Imgenex), Bag-1 (C-16, FL-274, Santa Cruz Biotechnology) for another 15 min. After incubation with corresponding PE-conjugated secondary antibodies for 15 min, followed by a second washing step, 7-amino-actinomycin D (7-AAD, Becton Dickinson Pharmingen, Hei-

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delberg, Germany) -negative, viable cells were analysed on a FACSCalibur flow cytometer (Becton Dickinson).

Immunofluorescence microscopy

- 5 Tumor cells were stained with Hsp70- (clone cmHsp70.1 or LR-1, multimmune GmbH) and Bag-4 (IMG-152, Imgenex)-specific antibodies as described earlier and transferred to glass slides in Fluorescent Mounting Medium (DAKO, Carpinteria, U.S.A.). Slides were analysed on a Zeiss Axioscop 25 scanning microscope (Zeiss, Jena, Germany) equipped with a 100x (planar) and 63x (apochromatic) oil-immersion objective and standard filters. Images were
10 treated by multiplicative shading correction using the software Axiovision (Zeiss Vision, Jena, Germany). Photographs of specifically stained sections were taken; the localization of Bag-4 was visualized in red (PE) and of Hsp70 in green (FITC). An overlap of red and green is indicated in yellow.

15 Light microscopy

Either untreated or γ -irradiated (1×10 Gy) carcinoma cells were analysed for transmission microscopy using a Zeiss Axiovert 25 scanning microscope (Zeiss) at a magnification of 10x and 40x.

20 ^3H -thymidine incorporation assay

- Cells were seeded in T25 culture flasks and cultivated for 24 h. Then adherent cells were irradiated (1×10 Gy), trypsinized and counted. Appropriate cell numbers (5 to 10×10^3 cells/well) were resuspended in culture medium ($150 \mu\text{l}$ / well), plated into 96 well flat bottom plates, and incubated for another 24 h or 48 h, respectively in the presence of $1 \mu\text{Ci } ^3\text{H}$ -
25 thymidine. Then ^3H -thymidine uptake in the DNA of the cells was measured in a scintillation counter (Perkin Elmer Life Sciences, Boston, U.S.A.).

Cell cycle analysis

- DNA-content was analysed in ethanol (80%) fixed untreated and irradiated (1×10 Gy) carcinoma cells. Following a washing step in 1 mM EDTA/ PBS and resuspension in PBS (1
30 ml), $10 \mu\text{l}$ propidium iodide solution (5 mg/ ml) and $10 \mu\text{l}$ ribonuclease ($10 \mu\text{g}/\text{ml}$) were added. Cells were analysed on a flow cytometer (FACSCalibur, Becton Dickinson, Heidelberg, Germany) after an incubation period of 20 min at room temperature.

Cell mediated lympholysis assay (CML)

NK cells were generated from heparinized blood (200 ml) of healthy human individuals, following Ficoll density gradient centrifugation and CD94 antibody-based magnetic bead cell sorting, according to the CD56 antibody standard protocol (MidiMACS; Miltenyi, Bergisch Gladbach, Germany). After a 4 day stimulation period with low dose IL-2 (100 IU/ml; Chiron) plus 2 µg/ml Hsp70 peptide TKD (aa₄₅₀₋₄₆₃; see WO02/22656) the cytolytic response was tested against Hsp70-high expressing CX+, Colo+ and HeLa Bag-4 and low expressing CX-, Colo-, HeLa neo cells, either untreated or following irradiation with 10 Gy and a recovery period of 24 h, in a standard ⁵¹Cr assay (MacDonald et al., J. Exp. Med. 140 (1974), 718-730). Briefly, different dilutions of effector and target cells (40:1 to 2:1) were co-incubated in duplicates for 4 h at 37°C, in a final volume of 200 µl. Then supernatants (30 µl) were collected and radioactivity was measured on a γ-counter (Topcount, Packard instrument). Antibody blocking studies were performed either with Hsp70- (clone cmHsp70.1), or Bag-4-specific antibodies (H-300; IMG-152), that are known to detect membrane-bound Bag-4. Therefore, 1 x 10⁶ carcinoma target cells were incubated with the antibodies at a concentration of 10 µg/ml for 15 min after labeling.

The percentage specific lysis was determined according to the following equation:

% lysis: (experimental release – spontaneous release) / (maximum release – spontaneous release) x 100. Percentage spontaneous release of each target cell was less than 25%.

Miscellaneous

Chemicals were from Sigma (Munich, Germany), Merck (Darmstadt, Germany) or Roth (Karlsruhe, Germany), if not indicated otherwise.

Statistics

For statistical analysis Student's t-test was measured. A confidence level above 95% ($p < 0.05$) was determined as significant.

Example 1: γ-irradiation induces an increase in membrane-bound Hsp70 and Bag-4 in initially low expressing carcinoma sublines

By cell sorting of the parental CX-2 colon and Colo357 pancreas carcinoma cells, using Hsp70-specific monoclonal antibodies (Table 1), stably Hsp70-high (CX+: >80%; Colo+:

>75%) and -low expressing (CX-: <30%; Colo-: <35%) carcinoma sublines were generated. To measure irradiation-induced effects the sublethal irradiation dose was defined. For that purpose, exponentially growing carcinoma sublines with initially different Hsp70 membrane expression pattern were γ -irradiated either fractionated (2 x 2 Gy and 5 x 2 Gy), or with single doses of 1 x 10 Gy and 1 x 20 Gy, respectively. Up to a total irradiation dose of 10 Gy, either after single or fractionated administration, followed by a recovery period of 24 h at 37°C, cell viability of colon and pancreas carcinoma sublines, as determined by trypan blue exclusion assays and Annexin-V stainings, remained unaffected. Following γ -irradiation at 1 x 20 Gy, cell viability of Hsp70-low expressing CX- and Colo- cells was reduced more pronounced as compared to that of Hsp70-high expressing CX+ and Colo+ tumor sublines (Table 2).

Table 2: Viability of tumor cells following single or fractionated γ -irradiation. On day 2 after cell passage, exponentially growing, adherent carcinoma cells were irradiated with different doses. Following a 24 h recovery period at 37°C cell viability was determined by trypan blue exclusion assays and by Annexin-V staining. Data represent mean values of viable cell counts derived from three independent experiments; - means not tested, * indicates values significant different from control.

irradiation	control	2 x 2 Gy	5 x 2 Gy	1 x 10 Gy	1 x 20 Gy
carcinoma	cell counts (mean values)				
CX+	100	100.0	97.8	96.6	95.0
CX-	100	96.6	96.0	98.6	87.5*
Colo+	100	-	-	97.0	88.9
Colo-	100	-	-	90.8	80.5*
HeLa Bag-4	100	-	-	97.7	96.7
HeLa neo	100	-	-	98.0	91.4

Cell viability of HeLa cervix carcinoma cells transfected either with neo vector or mouse Bag-4 was only marginally reduced following irradiation with 1 x 20 Gy (Table 2).

With respect to these findings, all further experiments were performed with the sublethal γ -irradiation dose of 1×10 Gy, followed by a recovery period of 24 h at 37°C. Although the carcinoma sublines CX+/CX- and Colo+/Colo- differed significantly with respect to their capacity to express Hsp70 on the cell surface, the cytoplasmic Hsp70 levels in each tumor type were identical even after sublethal γ -irradiation (Figure 1 A and Figure 1B, upper part). It is well known that Bag-4 binds to the ATPase domain of Hsp70. Therefore, in addition to Hsp70, the cytoplasmic amount of Bag-4, in untreated and γ -irradiated colon (CX+/CX-) and pancreas (Colo+/Colo-) carcinoma sublines was determined. Pancreas carcinoma cells are described to have elevated Bag-4 expression levels (Ozawa et al., Biochem. Biophys. Res. Commun. 271 (2000), 409-413), conferring resistance to TNF-induced cell death. The present data are in line with these findings; the cytoplasmic amount of Bag-4 in Colo+/Colo-pancreas carcinoma sublines (Figure 1B, lower part), as determined by densitometry, was about twice as much as compared to that of CX+/CX- colon carcinoma sublines (Figure 1A, lower part), if equal protein amounts were run on a SDS-PAGE. Following sublethal γ -irradiation (1×10 Gy) the cytoplasmic amount of Bag-4, as determined using different antibodies recognizing epitopes in the C- and N-terminus of Bag-4 (Table 1), was also not elevated in any of the tumor sublines (Figure 1A and Figure 1B, lower part). Identical results were observed with respect to Bag-1.

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Although, cytoplasmically no obvious changes were observed after sublethal γ -irradiation, modulations in the cell surface expression pattern of Hsp70 were investigated. As indicated in Figure 2A (upper graph) the percentage of Hsp70-positive cells remained unaltered high in CX+ carcinoma cells after γ -irradiation (82% versus 81%). However, a significant increase in Hsp70-positivity was detected in CX- carcinoma cells ($p < 0.03$); the percentage of Hsp70-positive cells raised from 34% to 59%. Interestingly, Hsp70 membrane-positive CX+ cells were also found to be strongly positive for Bag-4 (78%), as determined by using two different antibodies (Table 1) recognizing the C-terminal localized BAG domain (Figure 2A, lower graph). A Bag-4 antibody, recognizing an epitope within the N-terminus, was unable to detect membrane-bound Bag-4. Only 42% of the Hsp70-low expressing CX- cells exhibited a Bag-4 positive phenotype (Figure 2A, lower graph). Similarly, a significant elevation in Bag-4 expressing cells (42% to 73%) was predominantly found in CX- cells, but not in CX+ cells (78% to 79%). With respect to the mean fluorescence intensity (mfi), de-

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termining the protein density per cell, a significant increase in Hsp70 ($p < 0.03$) and Bag-4 ($p < 0.05$) proteins was again detected in CX- cells (Figure 2A, left panel). No cell surface expression was determined using antibodies directed against Bag-1 or Bag-3 with epitopes situated in the C- or N-terminus. In summary, it could be concluded that sublethal γ -irradiation upregulates Hsp70 and Bag-4 predominantly in carcinoma sublines with initial low expression pattern.

These data could be confirmed within the pancreas carcinoma cell system Colo+/Colo-, that was established according to the identical protocol used for the generation of CX+/CX- sublines (Multhoff et al., J. Immunol. 158 (1997), 4341-4350). After cell sorting, using the Hsp70-specific monoclonal antibody, about 60% of the Colo+ cells exhibited an Hsp70 membrane-positive phenotype, but only 37% of the Colo- cells were found to be Hsp70 membrane-positive (Figure 2B, upper graph). With respect to Bag-4, 78% of the Colo+ cells and 29% of the Colo- cells were membrane-positive (Figure 2B, lower graph). This phenotype remained stable in both sublines in succeeding cell passages. As already shown for CX+/CX-, and in contrast to the differences detected in the cell surface expression pattern, the intracellular Hsp70/Bag-4 content was identical in Colo+/Colo- cells (Figure 1B). After sublethal γ -irradiation, only Colo-, but not Colo+ carcinoma cells, exhibited a significant increase ($p < 0.04$) in the percentage of Hsp70 (37% to 58%) and Bag-4 (29% to 39%) positive cells (Figure 2B). Similar to CX- colon carcinoma cells, the protein density of Hsp70 ($p < 0.03$) and Bag-4 ($p < 0.04$) on a single cell level, was elevated in Colo- cells (Figure 2B). Regarding these results derived from two independent carcinoma cell systems it was speculated about a co-regulated Hsp70/Bag-4 plasma membrane expression that appears to be independent from the cytoplasmic protein content. To answer the question whether cytosolic Bag-4 might influence Hsp70 expression, mouse Bag-4 was overexpressed in HeLa cervix carcinoma cells. The cytoplasmic amount of Hsp70 and Bag-4 in untreated and irradiated HeLa cells, transfected either with mouse Bag-4 or vector (neo) only, are illustrated in Figure 3. Bag-4-overexpressing cells exhibited 4-fold higher cytoplasmic Bag-4 levels, as compared to neo-transfected (Figure 3, lower graph) or untransfected HeLa cells. However, Bag-4 overexpression did not affect cytoplasmic Hsp70 levels (Figure 3, upper graph). Also, after sublethal γ -irradiation, the cytoplasmic Hsp70 and Bag-4 levels remained indistinguishable from untreated cells (Figure 3).

In contrast to the cytoplasm, striking differences were detected with respect to membrane-bound Hsp70 and Bag-4. As shown in Figure 4 (left panel), the number of Hsp70-positive

cells in Bag-4-transfected HeLa cells was 60%, whereas that in neo-transfected cells was only 38%. Differences in Bag-4 membrane expression were as follows: Bag-4 transfected, 78%; neo-transfected, 49%. Following γ -irradiation a significant increase in the percentage of Hsp70 ($p < 0.04$) and Bag-4 ($p < 0.001$) positivity was only observed in HeLa neo cells (Hsp70: 38% to 58%; Bag-4: 49% to 76%). As already shown for CX- and Colo- cells, concomitant with the percentage of positively stained cells, also the mfi of Hsp70 ($p < 0.03$) and Bag-4 ($p < 0.09$) were found to be elevated (Figure 4, right panel). Taken together, γ -irradiated HeLa neo cells reacted like CX- and Colo- cells, with a significant increase in number and density of Hsp70/Bag-4 on the cell surface, whereas Bag-4-transfected cells were comparable to CX+ and Colo+ cells. It is worth mentioning that untransfected HeLa cells behaved identical to neo-transfected cells.

Example 2: Hsp70 and Bag-4 are co-localized on the cell surface of carcinoma cells

To demonstrate co-localization of Hsp70 and Bag-4 on the cell surface, multiparameter flow cytometry was performed using Hsp70-FITC and Bag-4-PE conjugated antibodies. In Figure 5A-C, horizontal and vertical lines mark the results derived from staining with isotype-matched control antibodies. Under physiological conditions, a dominant Hsp70/Bag-4 double-positive cell population, found in the upper right corner, was only detectable in CX+, Colo+ and HeLa Bag-4-transfected cells. Following sublethal γ -irradiation, this double-positive cell population did not increase significantly in CX+ (A: 71% to 77%), Colo+ (B: 65% to 75%) and HeLa Bag-4 transfected (C: 73% to 74%) carcinoma cells. In contrast, the number of Hsp70/Bag-4 double-positive stained cells in initially low expressing CX- (A: 35% to 73%), Colo- (B: 34% to 52%) and HeLa neo-transfected (C: 49% to 73%) cells was drastically enhanced, as illustrated by a shift of the cell population from the lower left corner to the upper right corner. These data, supporting the results obtained by single antibody staining (Figure 2 and Figure 4), led us to the hypothesis that Hsp70/Bag-4 might be co-localized on the cell surface of tumor cells. To further prove this hypothesis, immunocytochemistry was performed with Hsp70/Bag-4 double-positive carcinoma cells (CX+), using a two-color staining technique. Figure 6A represents Bag-4-PE single staining in red, and Figure 6B Hsp70-FITC single staining in green. A yellow color in the overlay of both immunostainings revealed that most Hsp70 and Bag-4 molecules on the plasma membrane are co-localized (Figure 6C). Light microscopical analysis, as depicted in Figure 6D, shows a regular cell morphology of the tumor cells. In Figures 6E-H the corresponding isotype-matched, nega-

tive controls are illustrated for each staining. Figure 6I represents an Hsp70/Bag-4 staining at a higher magnification (40x); again co-localization is marked by yellow spots caused by an overlay of the green FITC- and red PE-staining (e.g. arrows). A light microscopical view of this cell is shown as Figure 6J. Identical results were obtained using Colo+, and HeLa Bag-4-transfected cells.

Example 3: Hsp70/Bag-4 cell surface expression confers protection against γ -irradiation-induced effects

To study functional consequences of sublethal γ -irradiation in tumor sublines with differential Hsp70/Bag-4 membrane expression pattern, cells were seeded in 96 well plates and incubated with ^3H -thymidine. After an incubation period of 48 h photographs were taken from representative parts of each cell culture. Initially, growth of Hsp70/Bag-4-high expressing carcinoma cells (CX+, Colo+, HeLa Bag-4) and their -low expressing counterparts (CX-, Colo-, HeLa neo) was comparable, as depicted by light microscopical analysis and by ^3H -thymidine uptake (Figure 7A-C). As expected, following irradiation (1 x 10 Gy) the proliferative capacity was reduced in all cell types. However, a comparison of irradiated CX+/CX-, Colo+/Colo-, and HeLa Bag-4/ HeLa neo cells revealed that Hsp70/Bag-4-high expressing carcinoma cells were significantly more resistant to irradiation-induced growth inhibition as compared to their -low expressing counterparts. It is known that irradiation-induced effects on cell proliferation is due to a G2/M cell cycle arrest. Therefore, in addition to the ^3H thymidine uptake assay, cell cycle analysis were performed before and after identical treatment conditions. The typical irradiation-induced G2/M arrest was more pronounced in Hsp70/Bag-4-low expressing CX- (G2/M: 73% versus 58%), Colo- (G2/M: 55% versus 43%) and HeLa neo cells (G2/M: 63% versus 32%), as compared to their Hsp70/Bag-4-high expressing partner cell lines.

Example 4: Irradiation-induced Hsp70/Bag-4 membrane expression is associated with an increased sensitivity towards activated NK cells

Previously, the inventors demonstrated that membrane-bound Hsp70 provides a target structure for Hsp70 peptide-activated NK cells (Multhoff et al., Int. J. Cancer 61 (1995), 272-279). Following physical (heat) or chemical (ET-18-OCH₃, paclitaxel, vincristinsulfate) stress stimuli the amount of membrane-bound Hsp70 could be increased on the cell surface of tumor cells (Botzler et al., Exp. Hematol. 27 (1999), 470-478; Gehrmann et al., J. Biol.

Chem. 383 (2002), 1715-1725; Multhoff et al., Exp. Hematol. 27 (1999), 1627-1636). Concomitantly, an elevated sensitivity to lysis mediated by Hsp70 peptide-activated NK cells was observed. Here, Hsp70 peptide-activated, CD94-positive enriched NK were used as effector cells (Jaattela et al., EMBO J. 17 (1998), 6124-6134). As summarized in Table 3, untreated carcinoma sublines with low Hsp70/Bag-4 membrane expression (CX-, Colo-, HeLa neo) were not lysed as well as their high expressing counterparts (CX+, Colo+, HeLa Bag-4) unless irradiation.

Table 3: Comparison of the lytic activity of Hsp70 peptide activated, CD94-enriched (purity: >80%) NK cells against CX+ and CX- tumor cells, either untreated or following sub-lethal irradiation (1 x 10 Gy, followed by a 24 h recovery period). The cytolytic activity was determined at effector to target cell ratios ranging between 40:1 and 2:1. For blocking experiments, Hsp70-specific monoclonal antibodies (cmHsp70.1, and LR-1; 10 µg for 1 x 10⁶ tumor cells) were co-incubated for 15 min with the tumor target cells directly after labeling with ⁵¹Cr. Percentage spontaneous release of each target cell was below 25%. The data represent the mean of three independent experiments ± SE.

E:T ratio	20:1	10:1	5:1	2:1	1:1
target cells	specific lysis (%) ± SE				
CX+	73 ± 5.1	66 ± 2.5	60 ± 0	37 ± 1.5	31 ± 1.0
CX+ (10 Gy)	83 ± 2.0	80 ± 1.3	70 ± 6.0	42 ± 2.1	37 ± 2.4
CX+ (10 Gy) + Hsp70 antibody	57 ± 5.0	32 ± 3.2	20 ± 1.5	15 ± 3.1	9 ± 1.1
CX-	45 ± 1.2	36 ± 3.3	21 ± 2.3	15 ± 4.0	8 ± 1.0
CX- (10 Gy)	79 ± 3.2	68 ± 4.1	49 ± 1.2	32 ± 2.2	10 ± 2.1
CX- (10 Gy) + Hsp70 antibody	45 ± 3.1	30 ± 3.1	22 ± 0.0	13 ± 2.1	5 ± 1.3

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E:T ratio	20:1	10:1	5:1	2:1	1:1
target cells	specific lysis (%) ± SE				
Colo+	42 ± 2.5	31 ± 3.2	24 ± 3.5	15.5 ± 1.7	7.5 ± 3.1
Colo+ (10 Gy)	nt	33 ± 2.0	23 ± 0	16 ± 2.0	9 ± 2.5
Colo+ (10 Gy) + Hsp70 antibody	17 ± 3.4	16 ± 1.0	12 ± 3.0	8 ± 1.0	5 ± 2.0
Colo-	29 ± 4.4	23 ± 2.5	10.0 ± 5.4	5 ± 1.9	2 ± 0.8
Colo- (10 Gy)	nt	30 ± 4.0	28 ± 2.0	18 ± 1.0	10 ± 3.0
Colo- (10 Gy) + Hsp70 antibody	18 ± 3.0	19 ± 2.6	15 ± 2.1	9 ± 2.5	1 ± 0

15.

E:T ratio	20:1	10:1	5:1	2:1	1:1
target cells	specific lysis (%) \pm SE				
HeLa Bag-4	89 \pm 1.0	77 \pm 2.5	64 \pm 2.5	38 \pm 3.5	22 \pm 2.0
HeLa Bag-4 (10 Gy)	99 \pm 1.0	98 \pm 1.6	95 \pm 4.0	54 \pm 5.8	34 \pm 3.0
HeLa Bag-4 (10 Gy) + Hsp70 antibody	58 \pm 3.0	45 \pm 4.5	40 \pm 2.0	30 \pm 1.0	20 \pm 2.5
HeLa neo	60 \pm 1.0	53 \pm 3.6	39 \pm 2.0	15 \pm 4.0	8 \pm 3.0
HeLa neo (10 Gy)	99 \pm 5.0	89 \pm 7.0	72 \pm 1.2	38 \pm 2.0	20 \pm 0
HeLa neo (10 Gy) + Hsp70 antibody	63 \pm 3.0	50 \pm 5.0	41 \pm 4.0	19 \pm 0	10 \pm 2.5

After sublethal γ -irradiation, lysis of Hsp70/Bag-4-positive carcinoma cells remained unaltered high. In contrast, lysis of irradiated Hsp70/Bag-4 low-expressing carcinoma cells was increased significantly in a dose dependent manner (Table 3). Irradiation-induced increased

5 Hsp70/Bag-4 membrane expression (Figure 2 and Figure 4), conferring resistance to γ -irradiation, corresponded to an enhanced sensitivity towards NK cell-mediated cytotoxicity. Antibody blocking assays revealed an inhibition of lysis of irradiated carcinoma cells by the Hsp70-specific antibody (clone cmHsp70.1). This antibody is known to detect the Hsp70 epitope exposed to the extracellular milieu of tumor cells. Presumably, this epitope is also

10 involved in the recognition of irradiated tumor cells. In contrast, blocking studies using two different Bag-4 specific antibodies (Table 1) directed against the carboxy-terminal localized BAG domain, revealed no inhibition in lysis.

Example 5: Production of bispecific F(ab')₂ antibody fragments

15 In principle, intact polyclonal or monoclonal anti-Hsp70 and anti-Bag antibodies, respectively, see supra, can be used to prepare bispecific antibody fragments; see, e.g., Brennan et al., Science 229 (1985), 81-83. For example, intact anti-Hsp70 and anti-Bag antibodies used in examples 1-4 are fragmented by peptic (three hours at 37°C in acetate buffer of pH 4.0, Pepsin from Sigma) digestion to F(ab')₂ fragments to cleave off the Fc portion of the anti-

20 body. The reaction is terminated by increasing the pH value to 8 with Tris buffer and the resulting F(ab')₂ fragments are purified by column chromatography (e.g. Superdex 200 column). Then, the disulfide bonds of the hinge region of the purified F(ab')₂ molecule are

digested by reduction in the presence of arsenite and the F(ab')-SH fragments thus obtained are again purified by column chromatography, so as to then modify the reduced SH groups with the Ellman's reagent (DTNB) to F(ab')-TNB (incubation for 20 hours at room temperature with an equal volume of a mixture of 5,5'-dithiobis-2-nitrobenzoic acid (DTNB; Sigma) and thionitrobenzoate (TNB) with a molar ratio of the DTNB-TNB mixture of 20:30 and adjustment by incubating for a few minutes a 40 mM DTNB solution with a 10 mM DTT solution). After further purification by column chromatography one of the two antibody fragments is reduced to F(ab')-SH (0.1 mM DTT (Sigma) for one hour at 25°C), purified by column chromatography and hybridized to the other F(ab')-TNB fragment (1 hr at 25°C) to give a bispecific F(ab')₂ fragment. Finally, the bispecific antibody fragments thus obtained are purified by gel chromatography.

The bispecific molecule may be further modified, for example labeled with a fluorescent dye and tested, inter alia, for the binding to human tumor material, the activity in lymphocyte proliferation and cytotoxicity tests and the stability under in vivo conditions, for example incubation in human serum at 37°C.

Summary

As described in the examples, the effects of sublethal γ -irradiation were analysed in three independent carcinoma cell systems, with initially different Hsp70 membrane expression pattern. Apart from Hsp70, members of the Bag family are involved in regulating programmed cell death. In humans, six Bag family members could be identified, all sharing a conserved Bag-domain and a quite variable N-terminus. Four of the six members bind to the ATPase domain of Hsp70 and Hsc70 (Takayama et al., J. Biol. Chem. 274 (1999), 781-786). Furthermore, Bag proteins interact with different cell surface receptors. The Bag-1M isoform in concert with Hsp70/Hsc70 interact with retinoic acid receptors, glucocorticoid, estrogen, and thyroid hormone receptors (Takayama and Reed, Nat. Cell Biol. 3 (2001), 237-241; Takayama et al., Cell 80 (1995), 279-284; Takayama et al., EMBO J. 16 (1997), 4887-4896; Liu et al., J. Biol. Chem. 273 (1998), 16985-16992; Kanelakis et al., J. Biol. Chem. 274 (1999), 34134-34140; Song et al., Nat. Cell Biol. 3 (2001), 276-282), thus mediating stress-signaling pathways that regulate Raf-1/ ERK and cell growth (Doong et al., Oncogene 19 (2000), 4385-4395). Bag-3 forms an EGF-regulated ternary complex with phospholipase C- γ and Hsp70/Hsc70, thus presenting a link between transmembrane signaling and the Hsp70 system, shown in human melanoma cells (Liao et al., FEBS Lett. 503 (2001), 151-157;

Thress et al., EMBO J. 17 (1998), 6135-6143). Bag-6, first described in *Xenopus*, interacts with apoptosis-inducing factor *reaper* in *Drosophila* cells (Jiang et al., Science 283 (1999), 543-546). These investigations point at a relationship between plasma membrane-localized receptors, Hsp70 and Bag proteins. It is conceivable that following stress Hsp70 and under physiological conditions Hsc70 might serve as regulators coupling function of Bag proteins to plasma membrane localized receptors. The plasma membrane is a complex, multifunctional structure, far beyond from a simple lipid bilayer, separating the intracellular from the extracellular milieu. The intercellular cross-talk depends on cytosolic proteins and receptors, in and on the plasma membrane. Since Hsp70 is a major player in transport processes across membranes, it is possible that in concert with Bag proteins, Hsp70 might fulfill regulatory functions in apoptotic cell death not only in the cytosol but also on the plasma membrane.

In the present study the interaction of Hsp70 with Bag-4, also termed silencer of death domain (SODD) was investigated, since other members of the Bag family were not detected on the cell surface. Although the tumor sublines differed significantly with respect to their capacity to present Hsp70 on the cell surface, the intracellular Hsp70 levels were identical. Even after sublethal γ -irradiation the cytoplasmic Hsp70 content remained unaltered. Comparable results were obtained for cytosolic Bag-4. In contrast to the cytosol, following irradiation the amount of membrane-bound Hsp70 was significantly up-regulated in tumor sublines with initial low Hsp70 cell surface expression. Interestingly, the Hsp70 membrane-positive phenotype was associated with Bag-4 cell surface localization. Co-localization of Hsp70 and Bag-4 was demonstrated by two-color flow cytometry and immunocytochemistry. This indicates that Hsp70/Bag-4 protein complexes not only exist in the cytosol, but also on the plasma membrane. It was found that only antibodies directed against the C-terminal localized domain of Bag-4, interacting with the ATPase domain of Hsp70, but not antibodies against the N-terminus, were able to detect Bag-4 on the cell surface of viable tumor cells with intact plasma membrane. This suggested that the N-terminal domain of Bag-4 might not be accessible from outside of the cell. Furthermore, due to sterical masking of the ATPase domain of Hsp70 by Bag-4 binding, the present data might provide an explanation for the finding that antibodies directed against the ATPase domain of Hsp70 were unable to recognize cell membrane-bound Hsp70.

It has been reported that Hsp70 associated with Bag-4 binds to the death domain of tumor necrosis factor 1 (TNFR1) or death receptor 3 (DR3) and thus prevents self aggregation to

functional trimers initiating caspase-dependent apoptotic cell death (Wei et al., *Cancer Immunol. Immunother.* 40 (1995), 73-78). Therefore it is believed that membrane-bound Hsp70/Bag-4 might also be linked to the cytoplasmic domain of TNFR1. However, neither CX+/CX- nor Colo+/Colo- carcinoma sublines exhibited TNFR1 or DR3 membrane expression. Furthermore, incubation of the carcinoma cells with TNF- α either alone or in combination with cycloheximid, did not induce apoptosis. Regarding these results it was speculated about a TNFR1/DR3 independent cell surface translocation of Hsp70/Bag-4. Besides its function in apoptosis signaling, Hsp70 plays a pivotal role in cell cycle control. Treatment of tumor cells with Hsp70 anti-sense oligomers leads to inhibition of proliferation and initiation of apoptosis in tumor cell lines (Multhoff et al., *J. Immunol.* 158 (1997), 4341-4350). It had been suggested that overexpression of Hsp70 reduces radiation-induced cell cycle arrest in the G2/M phase. The present experiments provide evidence that not cytoplasmic, but cell membrane-bound Hsp70/Bag-4 protein complexes confer protection against irradiation-induced effects. In unstressed cells the proliferative capacity was comparable in Hsp70-high and -low expressing tumor sublines. In contrast, following sublethal irradiation, Hsp70/Bag-4 membrane localization appeared to be more resistant to growth arrest.

The Hsp70 epitope, exposed to the extracellular milieu of the plasma membrane (Jaattela et al., *EMBO J.* 17 (1998), 6124-6134) could be defined as immunogenic for NK cells (Multhoff et al., *J. Immunol.* 158 (1997), 4341-4350). The capacity of Hsp70 and peptides derived thereof, eliciting a cellular immune response, is in line with observations of others. Several receptors on the surface of immunoregulatory cells, including CD40 on B cells (Becker et al., *J. Cell Biol.* 158 (2002), 1277-1285), CD14 and toll like receptors on monocytes and dendritic cells (Asea et al., *Nat. Med.* 6 (2000), 435-442), CD91 on macrophages (Binder et al., *Nat. Immunol.* 1 (2000), 151-155), and CD94 on NK cells (Gross et al., *J. Biol. Chem.* 384 (2003), 267-279) have been identified; enabling interaction and uptake of Hsp70. Here it is shown that tumor sublines expressing high amounts of Hsp70/Bag-4 on their cell surface are better protected against γ -irradiation-induced effects, as compared to their low expressing counterparts, and thus might confer radioresistance. However, on the other hand these tumor cells provide ideal targets for the cytolytic attack mediated by Hsp70 peptide-activated NK cells. Contact of NK cell with the extracellular localized Hsp70 epitope has been found to stimulate synthesis and secretion of granzyme B, an apoptosis-inducing enzyme (Gross et al., *J. Biol. Chem.* (2003), July 21). Membrane-bound Hsp70 facilitates up-

- take of granzyme B into tumor cells, and thus induces apoptotic cell death. Antibody blocking studies confirmed that the Hsp70 epitope presented on tumor cells indeed acts as a recognition site for Hsp70 peptide-activated NK cells. In the present experiments it is demonstrated that Hsp70 is co-localized on the plasma membrane with Bag-4. Therefore, it is expected that both molecules, Hsp70 and Bag-4, are involved in the recognition by NK cells. However, although different antibodies were able to detect membrane-bound Bag-4 on tumor cells, none of them exhibited blocking activity. Since only a minority of antibodies are able to inhibit effector cell mediated cell kill, a role for Bag-4 as a recognition site for NK cells cannot be completely ruled out.
- 10 The experiments according to the present invention have shown that membrane-bound Hsp70/Bag-4 prevents tumor cells from irradiation-induced effects. Therefore, Hsp70/Bag-4 membrane expression is expected to be useful as a prognostic marker and target for therapy-resistant tumor cell clones. In addition, evidence is provided for Hsp70/Bag-4 as a target recognition structure for NK cell-mediated cytotoxicity. Therefore, it is reasonable to expect
- 15 that γ -irradiated tumor patients profit from Hsp70-activated NK cells that might support the eradication of tumor clones with increased Hsp70/Bag-4 membrane expression.

Claims

1. A bispecific molecule that comprises a first binding domain which binds cell surface
membrane-bound heat shock protein (Hsp) and a second binding domain which binds a
5 member of the anti-apoptotic Bcl-2-associated athanogene (Bag) family.
2. The bispecific molecule of claim 1, wherein said Hsp is Hsp70.
3. The bispecific molecule of claim 1 or 2, wherein said Bag is Bag-4.
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4. The bispecific molecule of any one of claims 1 to 3, wherein said first and second
binding domain bind to the C-terminal domain of the Hsp and Bag protein, respec-
tively.
- 15 5. The bispecific molecule of any one of claims 1 to 4 that is a bispecific immunoglobu-
lin, wherein the first binding domain is a first immunoglobulin variable region, and the
second binding domain is a second immunoglobulin variable region.
- 20 6. The bispecific molecule of any one of claims 1 to 5, which is a single chain or a
dimeric or multimeric molecule.
7. The bispecific molecule of any one of claims 1 to 6, which has at least one further
functional domain.
- 25 8. The bispecific molecule of any one of claims 1 to 7, which is a bispecific antibody.
9. A nucleic acid molecule or a composition of nucleic acid molecules encoding the
bispecific molecule of any one of claims 1 to 8.
- 30 10. The nucleic acid molecule or composition of claim 9, wherein any one of said nucleic
acid molecules is operably linked to expression control sequences.
11. A cell transformed with the nucleic acid molecule or composition of claim 9 or 10.

12. The cell of claim 11, which expresses the bispecific molecule on the cell surface.
13. The cell of claim 11 or 12, which is a natural killer (NK) cell.
14. A method for producing a bispecific molecule of any one of claims 1 to 8 comprising cross-linking a first and second binding domain as defined in any one of claims 1 to 4, and optionally a further functional domain.
15. The bispecific molecule of claim 7 or 8, or the method of claim 14, wherein said further functional domain is a cytotoxic agent or a label.
16. A method for producing a bispecific molecule of any one of claims 1 to 8 or 15 comprising culturing the cell of claim 11 or 12 under appropriate conditions and isolating the bispecific molecule or portions thereof.
17. A composition comprising in one or more compartments, the bispecific molecule of any one of claims 1 to 8 or 15, the nucleic acid molecule or composition of claim 9 or 10 or the cell of any one of claims 11 to 13; and optionally a pharmaceutically acceptable carrier.
18. The composition of claim 17 for use in diagnosis, prophylaxis, vaccination or therapy.
19. Use of the bispecific molecule of any one of claims 1 to 8 or 15, the nucleic acid molecule or composition of claim 9 or 10, the cell of any one of claims 11 to 13 or an antibody capable of recognizing membrane-bound Bag or a corresponding binding molecule, a nucleic acid molecule encoding said antibody or binding molecule, or a cell expressing said antibody or binding molecule for the preparation of a pharmaceutical composition for the targeting and/or treatment of a tumor or an infectious disease.
20. Use of a nucleic acid molecule of claim 9 or a nucleic acid molecule encoding an

antibody capable of recognizing membrane-bound Bag or a corresponding binding molecule in a form suitable for expression of the bispecific molecule on the cell surface for the preparation of a pharmaceutical composition for the targeting of a cell to a tumor cell or to a cell infected by a pathogen.

21. A method of treating a tumor or infectious disease in a mammal comprising administering to the mammal a therapeutically effective dose of a bispecific molecule of any one of claims 1 to 8 or 15 or a compound capable of recognizing membrane-bound Bag.
22. A method for diagnosing a radiation therapy resistant neoplastic disorder or infectious disease of a patient comprising assaying membrane-bound Bag and/or co-localization of Hsp and Bag protein as defined in any one of claims 1 to 4 on the cell surface of cells in a sample from the patient, wherein the presence or increased amount of membrane-bound Bag and/or co-localized Hsp and Bag protein is indicative for the disorder.
23. Use of NK cells or an activator of NK cells for the preparation of a pharmaceutical composition for the treatment of a tumor or infectious disease in a patient which has been positively tested according to the method of claim 22.
24. The use of claim 23, wherein said NK cells are activated prior to administration to the patient or are designed to be administered in conjunction with an activator of NK cells.
25. The use of claim 22 or 23, wherein said activator comprises a peptide of Hsp70 and/or a peptide of Bag protein.
26. Use of Bag protein or fragment thereof or an agent mimicking membrane-bound Bag in association with Hsp for the preparation of a pharmaceutical composition for inducing and/or enhancing a cytolytic attack of NK cells against undesired cells.
27. The use of claim 26, wherein said agent induces or enhances the expression and/or localization of Bag on the cell surface of said undesired cell.

28. The use of claim 26 or 27, wherein said agent or a combination of agents induce or enhance concomitantly the expression and/or co-localization of Hsp and Bag on the cell surface of a tumor cell.
29. The use of claim 26, wherein said agent is comprised of at least one of the following: Hsp70 and/or Bag-4 polypeptides or fragments thereof, cells expressing Hsp70 in association with Bag-4 on their cell surface, the membrane-fraction of cells expressing Hsp70 in association with Bag-4 on their cell surface and/or anti-idiotypic antibodies of membrane-bound Hsp70 in association with Bag-4.
30. The use of any one of claims 26 to 29, wherein said pharmaceutical composition additionally contains at least one compound which enhances an immune response.
31. The use of any of claims 26 to 30, wherein said undesired cells are tumor cells.
32. A method for the preparation of an agent mimicking membrane-bound Hsp70 in association with Bag-4 comprising the following steps:
 - (a) raising antibodies specific for membrane-bound Hsp70 in association with Bag-4; and
 - (b) raising anti-idiotypic antibodies by using the antibodies of step (a) or at least part of the variable region thereof as an antigen.
33. The method of claim 32, wherein the anti-idiotypic antibody is humanized.
34. Use of an inhibitor of the association of membrane-bound Hsp70 with a member of the anti-apoptotic Bcl-2-associated athanogene (Bag) family for the preparation of a pharmaceutical composition for the treatment of a tumor.
35. The use of claim 34, wherein said inhibitor binds to the ATPase domain of Hsp and/or to the corresponding binding domain of Bag.
36. The use of claim 34 or 35, wherein said inhibitor is selected from the group consisting

of an antibody, an aptamer, small molecules, a peptide and a peptidomimetic.

37. The use of any of claims 23 to 25, 31, or 34 to 36, wherein said tumor or neoplastic cell growth is a radiation therapy resistant tumor.
38. Use of an inhibitor as defined in any one of claims 34 to 37 as a first agent for the preparation of a pharmaceutical composition for sensitizing tumor cells for the activity of a cytotoxic second agent.
39. The use of claim 38, wherein said second agent is an apoptosis inducing agent.
40. The use of claim 38 or 39, wherein said second agent is a chemotherapeutic drug or γ -irradiation.
41. The use of any one of claims 38 to 40, wherein said second agent is selected from the group consisting of staurosporine, mechlorethamine, vincristine, procarbazine, prednisone, doxorubicin, bleomycin, vinblastine, dacarbazine, chlorambucil, etoposide, mitoxantrone, genestein, phenoxodiol, interferons, drugs triggering death receptors such as the CD95, or pro-drugs or pharmaceutically acceptable salts of any one thereof.
42. The use of any one of claims 38 to 41 comprising the use of a second agent as defined in any one of claims 38 to 41 for the preparation of a pharmaceutical composition for the treatment of a tumor, wherein if said first agent and second agent are comprised in a first and second pharmaceutical composition, said first and second pharmaceutical composition being applicable simultaneously or sequentially.
43. The use of any one of claims 34 to 42, wherein said pharmaceutical composition is designed to be administered prior, during or after exposure of the tumor cells to γ -irradiation.
44. The use of any one of claims 19, 20, 23 to 25, 34 to 43 or the method of claim 21, wherein said tumor is a carcinoma of colon, pancreas, head/neck, cervix or

glioblastoma.

45. A method for the identification of an anti-tumor agent comprising:
 - (a) providing a cell expressing Hsp70 and Bag-4 on its cell surface;
 - (b) treating said cell with at least one candidate compound; and
 - (c) determining whether said candidate compound interferes with the association of Hsp70 and Bag-4 on the cell surface of the cell.
46. The method of claim 45, wherein said at least one compound is provided as a library of compounds.
47. The method of claim 45 or 46, wherein said at least one compound is an antibody, a polypeptide, and/or a small molecule.
48. An anti-tumor agent identified by the method of any one of claims 45 to 47.
49. A kit for use in a method of any one of claims 22 or 45 to 47, said kit comprising an anti-Hsp and/or anti-Bag antibody; and optionally suitable means for detection.
50. The use of any one of claims 19, 20, 25 to 31, the method of claim 21 or the kit of claim 49, wherein said Bag protein is Bag-4.
51. The use of any one of claims 19, 20, 25 to 31 or 50, the method of claim 21 or 50 or the kit of claim 49 or 50, wherein said Bag protein fragment thereof comprises at least one epitope of the C-terminal localized BAG domain.
52. Use of an antibody specifically recognizing membrane-bound Bag protein or a binding domain thereof for the detection and/or treatment of a tumor or an infectious disease.
53. The use of claim 52, wherein said antibody or binding domain bind to an epitope of the C-terminal localized BAG domain.
54. The use of claim 52 or 53, wherein said Bag protein is Bag-4.

55. The use of any one of claims 52 to 54, wherein said antibody or binding domain comprises a further functional domain as defined in claim 15.

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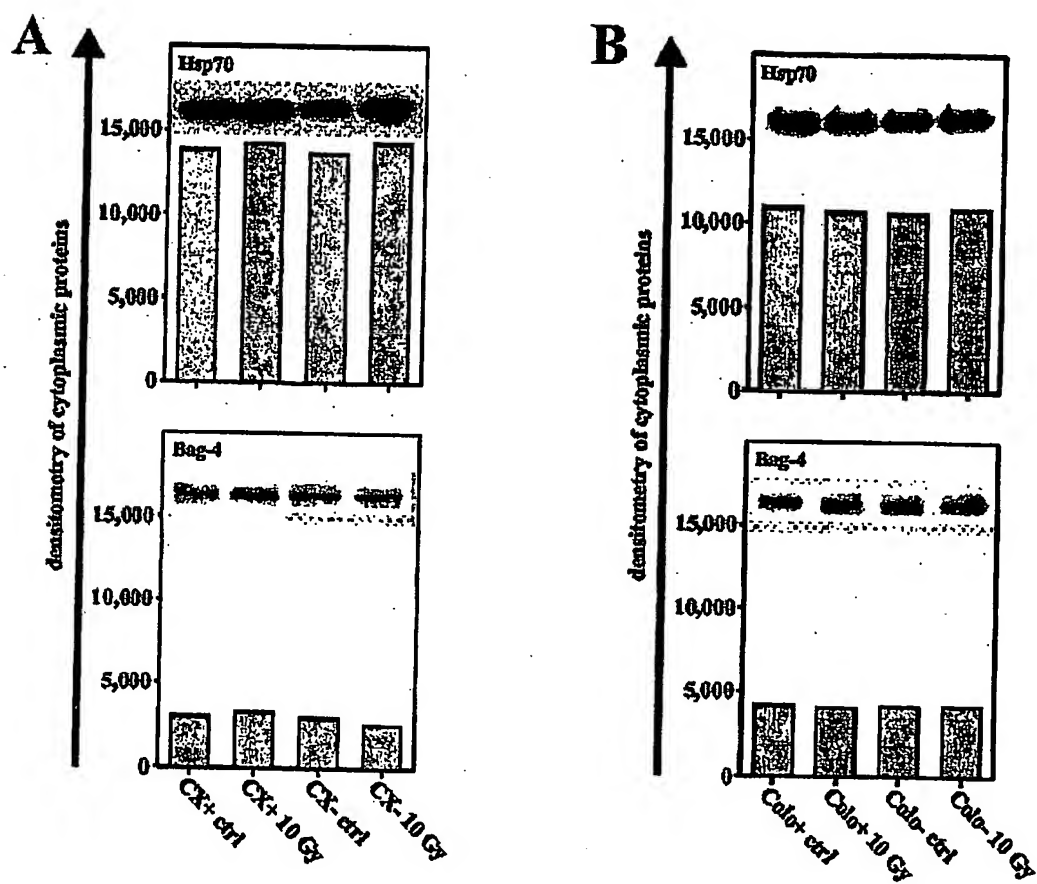


Fig. 1

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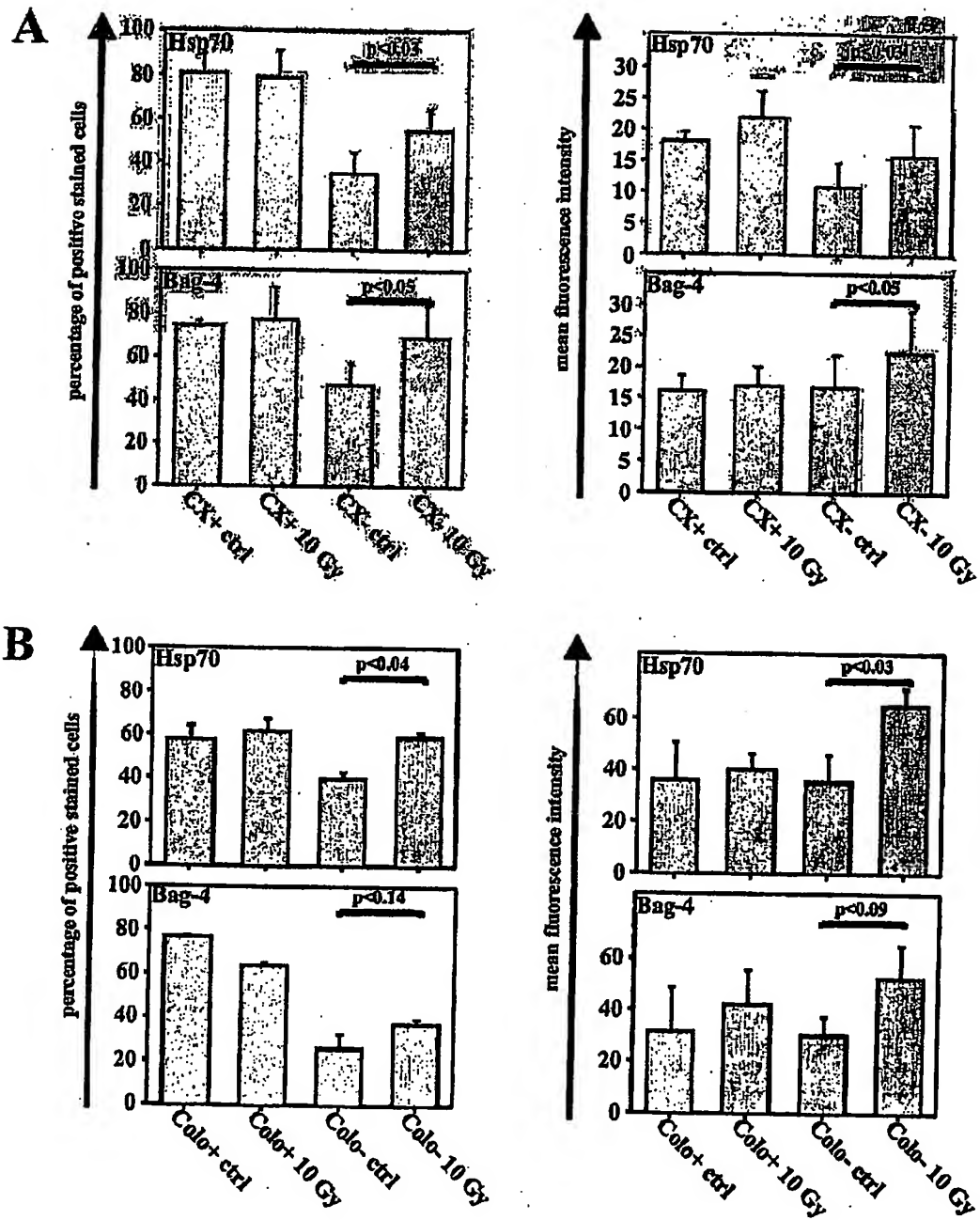


Fig. 2

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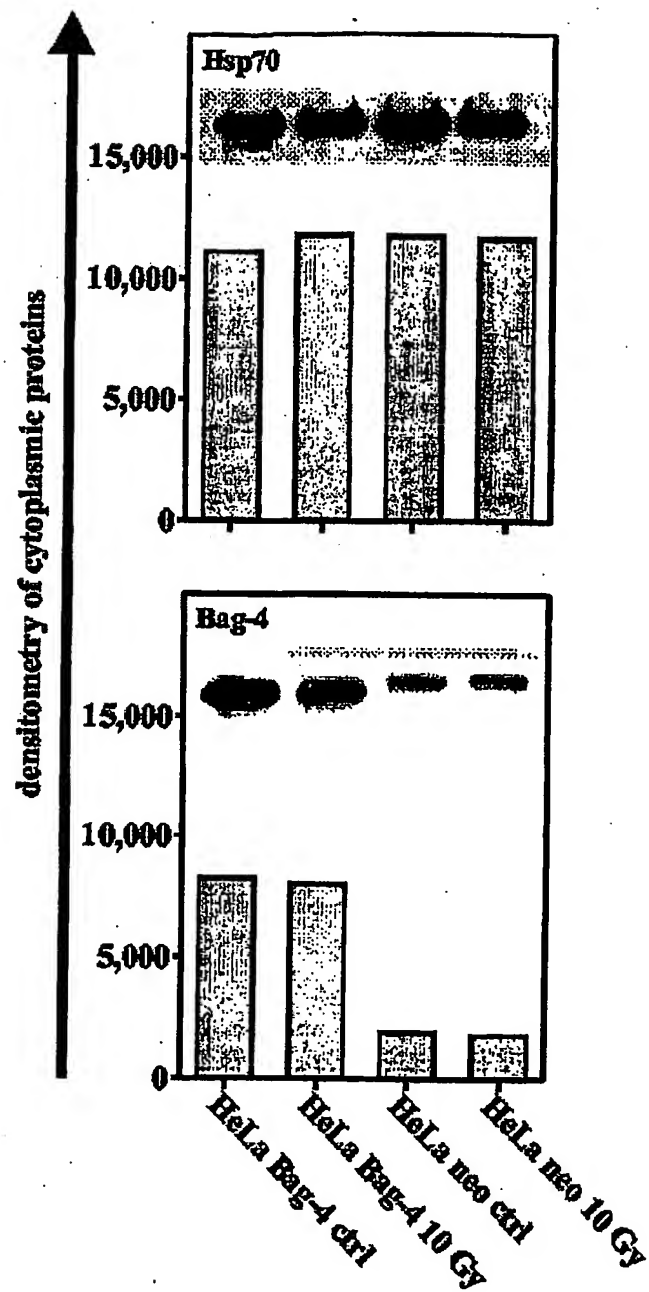


Fig. 3

4/11

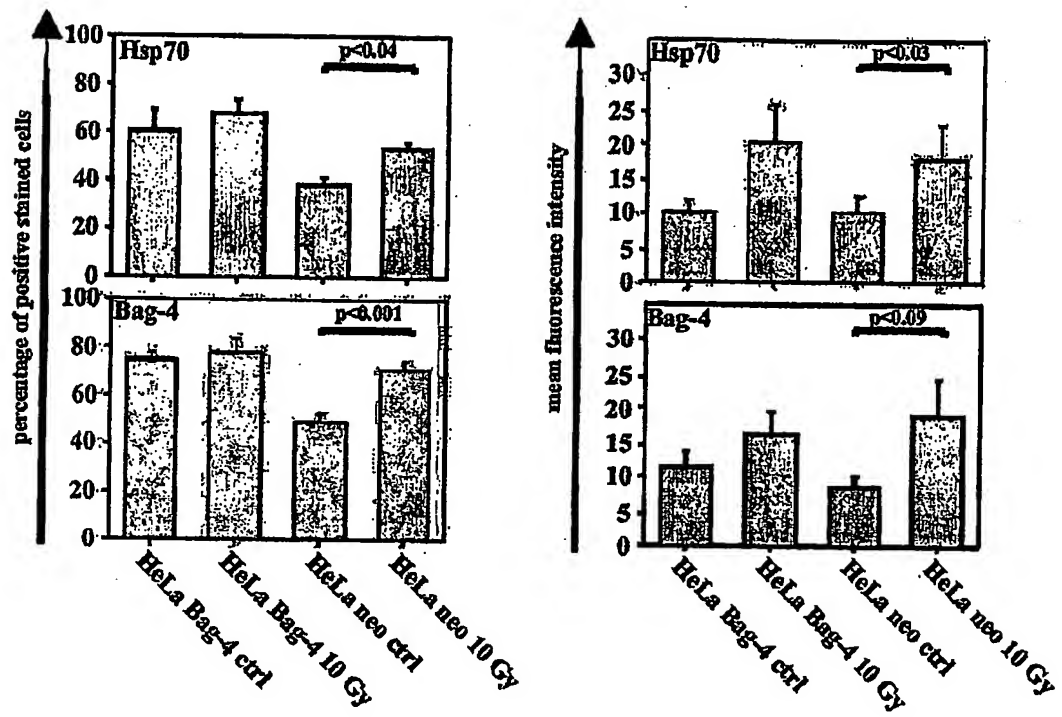


Fig. 4

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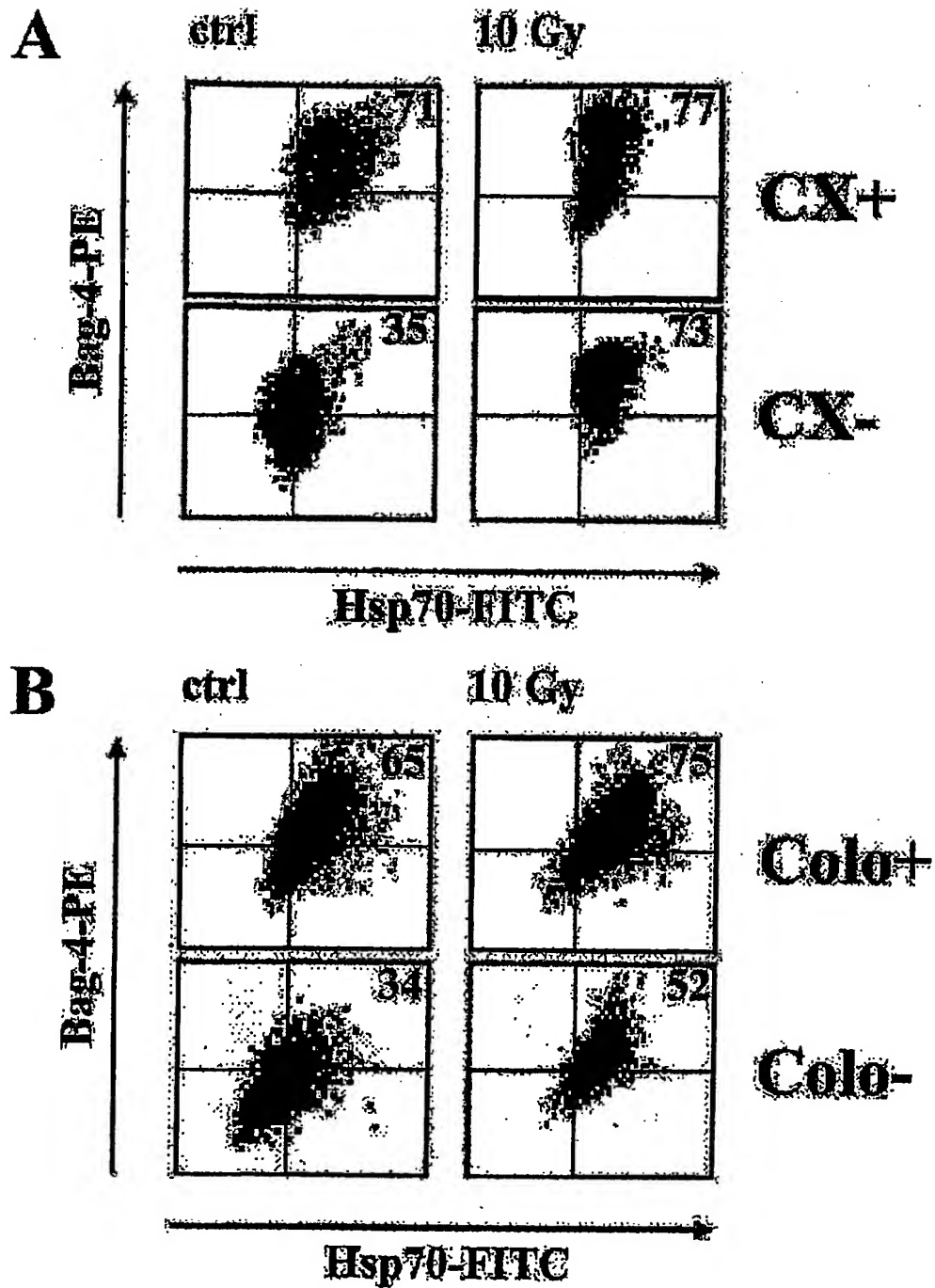


Fig. 5

6/11

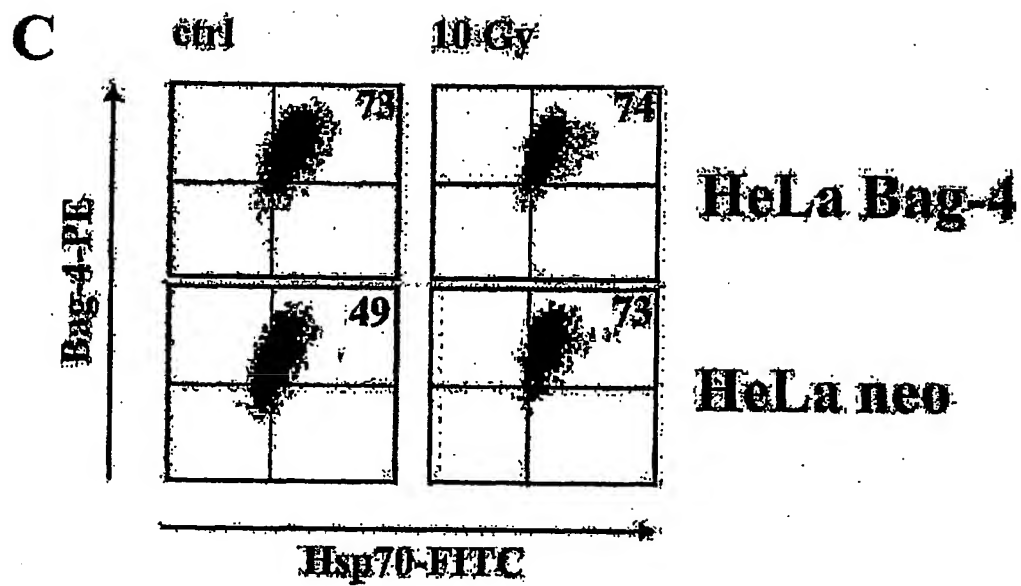


Fig. 5 (continued)

7/11

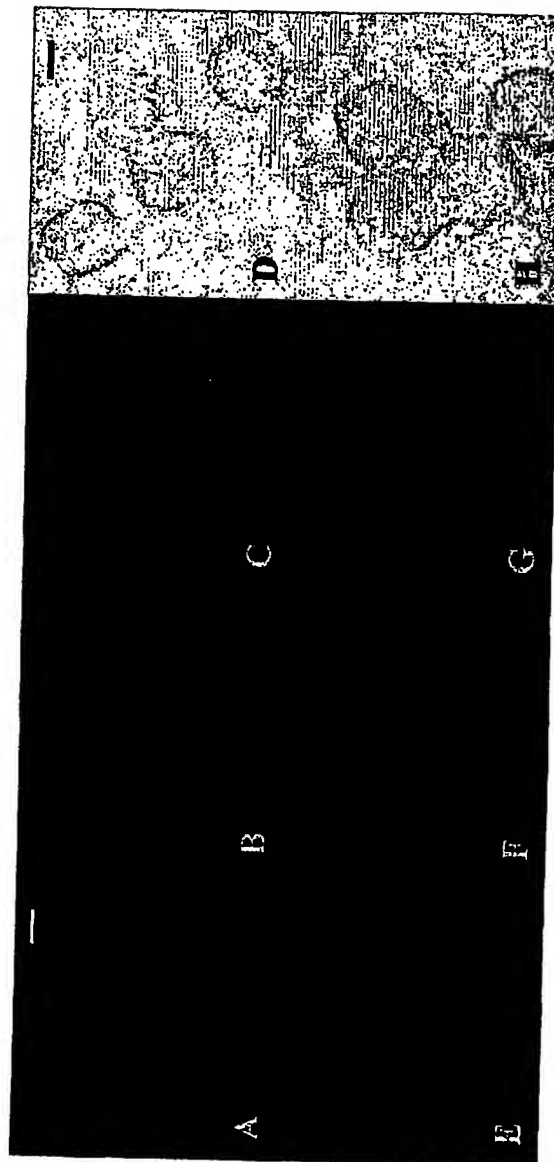


Fig. 6

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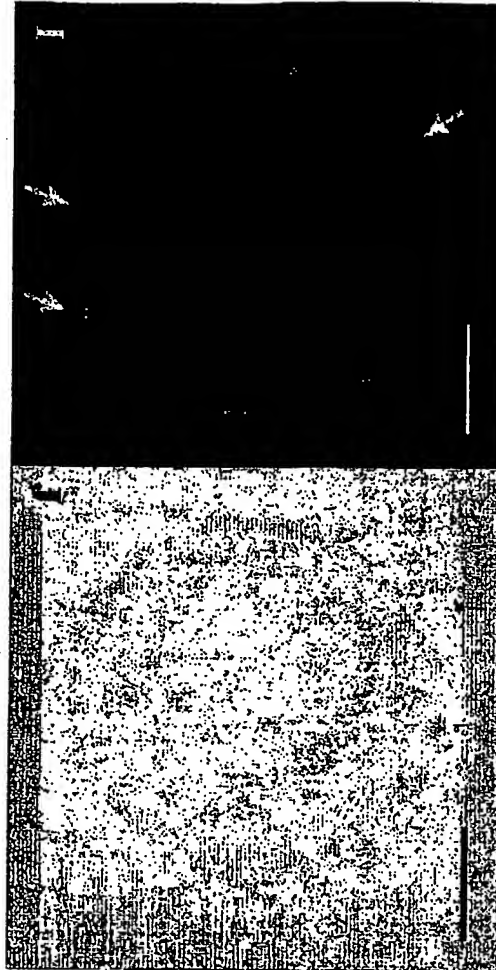


Fig. 6 (continued)

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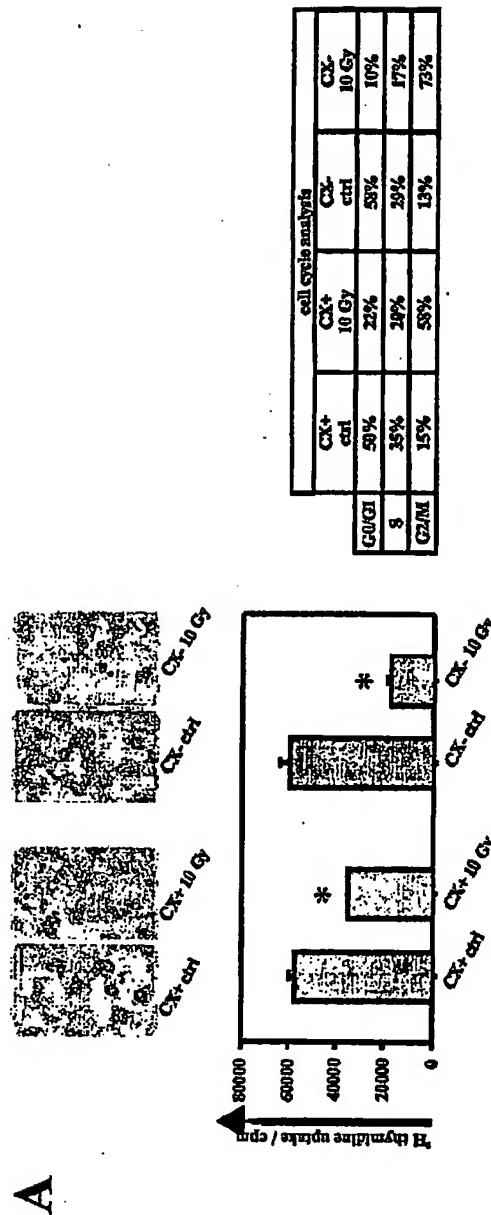


Fig. 7

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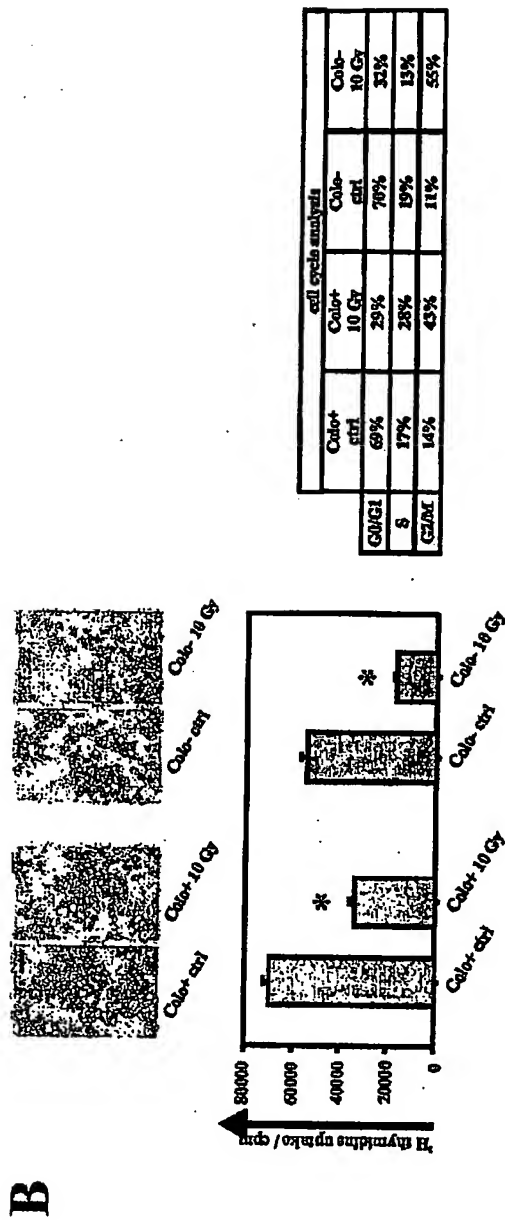


Fig. 7 (continued)

11/11

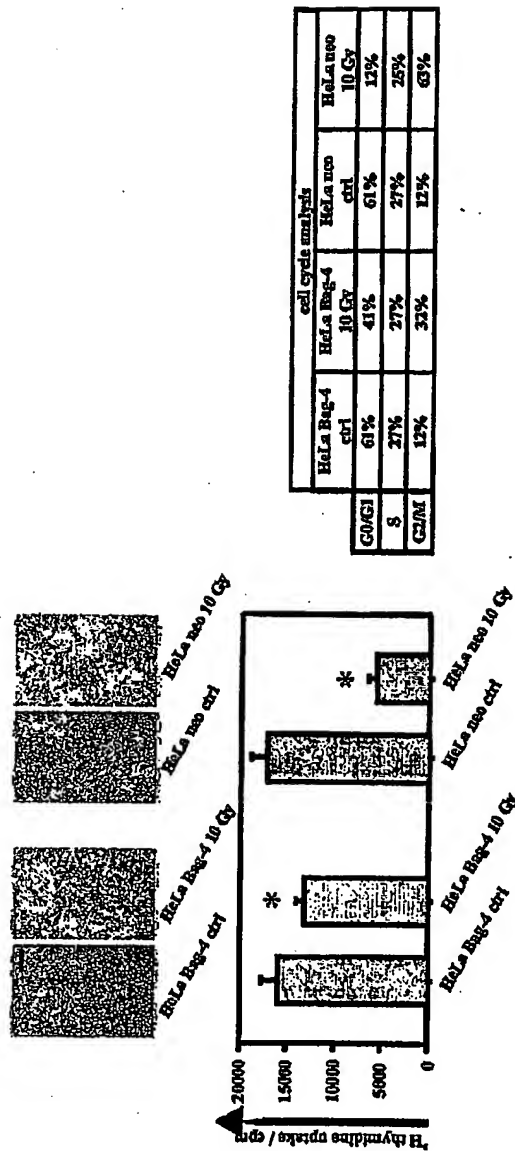


Fig. 7 (continued)

PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL SEARCHING AUTHORITY

To:
MÜLLER, FOTTNER & STEINECKE
P.O. Box 31 01 40
D-80102, München
GERMANY

Eingegangen / Received

19. April 2005

MÜLLER · FOTTNER · STEINECKE

Frist: 5.10.2005

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference MU03A02/P-WO	Date of mailing (day/month/year) 18/04/2005
International application No. PCT/EP2004/013858	International filing date (day/month/year) 06/12/2004
Applicant MULTIMUNE GMBH	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.
 Filing of amendments and statement under Article 19:
 The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):
 When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.
 Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
 1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 740.14.35
 For more detailed instructions, see the notes on the accompanying sheet.
2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.
4. Reminders
 Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.
 The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.
 Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.
 In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.
 See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer Anu Evers
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NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference MU03A02/P-WO	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/EP2004/013858	International filing date (day/month/year) 06/12/2004	(Earliest) Priority Date (day/month/year) 05/12/2003
Applicant MULTIMUNE GMBH		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☒ Certain claims were found unsearchable (See Box II).

3. ☐ Unity of invention is lacking (see Box III).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. _____

☐ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

b. ☒ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP2004/013858

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 G01N33/68 C07K16/44		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) IPC 7 G01N		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal, WPI Data, PAJ, MEDLINE, BIOSIS, EMBASE		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 539 094 A (REED ET AL) 23 July 1996 (1996-07-23) the whole document	1-55 ✓
Y	TAKAYAMA S ET AL: "EXPRESSION AND LOCATION OF HSP70/HSC-BINDING ANTI-APOPTOTIC PROTEIN BAG-1 AND ITS VARIANTS IN NORMAL TISSUES AND TUMOR CELL LINES" CANCER RESEARCH, AMERICAN ASSOCIATION FOR CANCER RESEARCH, BALTIMORE, MD, US, vol. 58, no. 14, 15 July 1998 (1998-07-15), pages 3116-3131, XP000941973 ISSN: 0008-5472	1-55 ✓
X	the whole document ----- -/--	52,53
<input checked="" type="checkbox"/> Further documents are listed in the continuation of box C. <input checked="" type="checkbox"/> Patent family members are listed in annex.		
* Special categories of cited documents: *A* document defining the general state of the art which is not considered to be of particular relevance *E* earlier document but published on or after the international filing date *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) *O* document referring to an oral disclosure, use, exhibition or other means *P* document published prior to the international filing date but later than the priority date claimed *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. *&* document member of the same patent family		
Date of the actual completion of the international search 6 April 2005		Date of mailing of the international search report 18/04/2005
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016		Authorized officer Moreno de Vega, C

INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP2004/013858

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	TAKAYAMA SHINICHI ET AL: "An evolutionarily conserved family of Hsp70/Hsc70 molecular chaperone regulators" JOURNAL OF BIOLOGICAL CHEMISTRY, AMERICAN SOCIETY OF BIOLOGICAL CHEMISTS, BALTIMORE, MD, US, vol. 274, no. 2, 8 January 1999 (1999-01-08), pages 781-786, XP002182051 ISSN: 0021-9258 the whole document	1-55 ✓
Y	ANTOKU K ET AL: "ISOLATION OF BCL-2 BINDING PROTEINS THAT EXHIBIT HOMOLOGY WITH BAG-1 AND SUPPRESSOR OF DEATH DOMAINS PROTEIN" BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS, ACADEMIC PRESS, SAN DIEGO, CA, US, vol. 286, no. 5, 7 September 2001 (2001-09-07), pages 1003-1010, XP001071206 ISSN: 0006-291X the whole document	1-55 ✓
Y	BRIKNAROVA KLARA ET AL: "BAG4/SODD protein contains a short BAG domain" JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 277, no. 34, 23 August 2002 (2002-08-23), pages 31172-31178, XP001180035 ISSN: 0021-9258 the whole document	1-55 ✓
X	EICHHOLTZ-WIRTH H ET AL: "Altered signaling of TNFalpha-TNFR1 and SODD/BAG4 is responsible for radioresistance in human HT-R15 cells" ANTICANCER RESEARCH, vol. 22, no. 1A, January 2002 (2002-01), pages 235-240, XP009027254 ISSN: 0250-7005 the whole document	22, 52-54 ✓
Y		1-55
Y	WO 00/14106 A (THE BURNHAM INSTITUTE) 16 March 2000 (2000-03-16)	1-55 ✓
X	the whole document	34-37, 52-54
	----- -/--	

INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP2004/013858

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	TOWNSEND. P. A. ET AL: "Bag-1 expression in human breast cancer: interrelationship between BAG-1 RNA, protein, HSC70 expression and clinico pathological data" THE JOURNAL OF PATHOLOGY, vol. 197, no. 1, May 2002 (2002-05), pages 51-59, XP009027243	1-55 ✓
X	the whole document -----	52, 53

INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP2004/013858

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: —
because they relate to subject matter not required to be searched by this Authority, namely:
Although claim 21 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2004/013858

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5539094	A	23-07-1996	AU 687952 B2	05-03-1998
			AU 1174295 A	29-05-1995
			CA 2176378 A1	18-05-1995
			EP 0742793 A1	20-11-1996
			JP 9509304 T	22-09-1997
			WO 9513292 A1	18-05-1995
			US 5686595 A	11-11-1997
			US 5650491 A	22-07-1997
			US 5641866 A	24-06-1997
WO 0014106	A	16-03-2000	AU 774355 B2	24-06-2004
			AU 6038399 A	27-03-2000
			CA 2342027 A1	16-03-2000
			EP 1109824 A1	27-06-2001
			JP 2002524068 T	06-08-2002
			WO 0014106 A1	16-03-2000

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

see form PCT/ISA/220

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/EP2004/013858

International filing date (day/month/year)
06.12.2004

Priority date (day/month/year)
05.12.2003

International Patent Classification (IPC) or both national classification and IPC
G01N33/68, C07K16/44

Applicant
MULTIMUNE GMBH

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Moreno de Vega, C

Telephone No. +49 89 2399-7486



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2004/013858

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2004/013858

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

- ☐ the entire international application,
- ☒ claims Nos. 21, 48

because:

- ☒ the said international application, or the said claims Nos. 21 with respect to industrial applicability relate to the following subject matter which does not require an international preliminary examination (*specify*):

see separate sheet

- ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
- ☒ the claims, or said claims Nos. 48 are so inadequately supported by the description that no meaningful opinion could be formed.
- ☐ no international search report has been established for the whole application or for said claims Nos.
- ☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:
 - the written form ☐ has not been furnished
 - ☐ does not comply with the standard
 - the computer readable form ☐ has not been furnished
 - ☐ does not comply with the standard
- ☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.
- ☐ See separate sheet for further details

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2004/013858

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-21, 23-33, 38-51
	No: Claims	22, 34-37, 52-54
Inventive step (IS)	Yes: Claims	
	No: Claims	1-55
Industrial applicability (IA)	Yes: Claims	1-20, 22-55
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

Claim 21 relates to subject-matter considered by this Authority to be covered by the provisions of Rule 67.1(iv) PCT. Consequently, no opinion will be formulated with respect to the industrial applicability of the subject-matter of this claim (Article 34(4)(a)(I) PCT).

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

- D1: TAKAYAMA S ET AL: "EXPRESSION AND LOCATION OF HSP70/HSC-BINDING ANTI-APOPTOTIC PROTEIN BAG-1 AND ITS VARIANTS IN NORMAL TISSUES AND TUMOR CELL LINES" CANCER RESEARCH, AMERICAN ASSOCIATION FOR CANCER RESEARCH, BALTIMORE, MD, US, vol. 58, no. 14, 15 July 1998 (1998-07-15), pages 3116-3131, XP000941973 ISSN: 0008-5472
- D2: ANTOKU K ET AL: "ISOLATION OF BCL-2 BINDING PROTEINS THAT EXHIBIT HOMOLGY WITH BAG-1 AND SUPPRESSOR OF DEATH DOMAINS PROTEIN" BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS, ACADEMIC PRESS, SAN DIEGO, CA, US, vol. 286, no. 5, 7 September 2001 (2001-09-07), pages 1003-1010, XP001071206 ISSN: 0006-291X
- D3: BRIKNAROVA KLARA ET AL: "BAG4/SODD protein contains a short BAG domain" JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 277, no. 34, 23 August 2002 (2002-08-23), pages 31172-31178, XP001180035 ISSN: 0021-9258
- D4: EICHHOLTZ-WIRTH H ET AL: "Altered signalling of TNFalpha-TNFR1 and SODD/BAG4 is responsible for radioresistance in human HT-R15 cells" ANTICANCER RESEARCH, vol. 22, no. 1A, January 2002 (2002-01), pages

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/EP2004/013858

235-240, XP009027254 ISSN: 0250-7005

D5: WO 00/14106 A (THE BURNHAM INSTITUTE) 16 March 2000 (2000-03-16)

D6: TOWNSEND. P. A. ET AL: "Bag-1 expression in human breast cancer: interrelationship between BAG-1 RNA, protein, HSC70 expression and clinico pathological data" THE JOURNAL OF PATHOLOGY, vol. 197, no. 1, May 2002 (2002-05), pages 51-59, XP00902724

2. Article 6 PCT

- 2.1 Claims 1-21 do not meet the requirements of Article 6 PCT in that they are not clear. Said claims refer to "bispecific molecules" defined only by their binding characteristics, without indicating any structural or sequence feature.
- 2.2 The wording of claim 26 is unclear, because as a consequence of the use of the word "or" it is not clear whether the use refers to the Bag protein in association with Hsp or to the Bag protein and fragments thereof. Furthermore, the description does not disclose any "agent mimicking membrane-bound Bag", against the requirements of Article 6 PCT.
- 2.3 The uses claimed in claims 26, 34 and 52 and claims dependent thereon are not sufficiently supported by the description. These claims refer to the use of several undefined compounds or agents for medical purposes, whereas the description does not provide any example or experiment of such uses and of the agents to be used as inhibitors of the association of membrane bound Hsp with a member of the anti-apoptotic Bag family as recited in claim 34.
- 2.4 Claim 48 refers to a large number of possible compounds, defined merely by a method for their identification. Support within the meaning of Article 6 PCT and disclosure within the meaning of Article 5 PCT cannot be found, however, for the compounds claimed. In the present case, the claim so lacks support, and the application so lacks disclosure, that a meaningful examination over the claimed scope is impossible.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No. —

PCT/EP2004/013858

2.5 For the assessment of the present claim 21 on the question whether it is industrially applicable, no unified criteria exist in the PCT Contracting States. The patentability can also be dependent upon the formulation of the claims. The EPO, for example, does not recognize as industrially applicable the subject-matter of claims to the use of a compound in medical treatment, but may allow, however, claims to a known compound for first use in medical treatment and the use of such a compound for the manufacture of a medicament for a new medical treatment.

3. Novelty

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 22, 34-37 and 52-54 is not new in the sense of Article 33(2) PCT.

Document D4 discloses (see especially pages 235, 239 and 240) the role of Bag4 in the radiation resistance of HT-R15 cells and the detection of tumour radiation-resistant cells using antibodies. This document appears to be novelty destroying for claims 22, 52-54.

Document D1 discloses the higher expression of the Hsp70 binding Bag-1 protein in several types of tumour tissues compared with normal tissues, and the detection of said expression with antibodies to Bag-1. This document appears to be novelty destroying for claims 52-53.

Document D6 (see especially pages 51-52) discloses the detection of the expression of the Bag-1 protein in tumour tissues and that the Hsc70 protein is a direct target of Bag-1. This document appears to be novelty destroying for claims 52-53.

The subject-matter of claims 34-37 and 52-53 is anticipated in D5, see pages 1-7 and claims.

4. Inventive step

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1-55 does not involve an inventive step in the sense of Article 33(3) PCT.

Documents D2, D3 and D5 disclose the sequences of the Bag protein family and their interactions with the Hsp protein and the expression of said proteins in cancerous cells.

D5 is the most relevant prior art with respect to claims 1-18. D5 does not disclose any bispecific molecule to the disclosed Hsp and Bag proteins. The technical problem to be solved by said claims is the provision of a molecule binding to known sequences. Following the reasoning above (see paragraphs 2.1-2.3), the provision of bispecific molecules binding to already disclosed sequences can be routinely achieved by methods known in the field.

Claims 19-21, 23-33, 38-48, and 50-51 are not considered to be inventive, following the reasoning in the above paragraphs and in the light of the disclosures in the documents cited above. Said claims appear to be based on the finding that the Bag and Hsp proteins interact with each other and are expressed in tumour cells. This finding has already been taught in the cited prior art. Hence, the subject-matter of said claims appears to be based on an obvious speculation about the possible use of inhibitors of the association of the Bag and the Hsp proteins for the treatment of tumours.

With respect to claim 49, the person skilled in the art would include the known reactants for a method in a kit, without exerting an inventive activity.

Applicant's or agent's file reference MU03A02/P-WO	International application No.
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**INDICATIONS RELATING TO DEPOSITED MICROORGANISM
OR OTHER BIOLOGICAL MATERIAL**

(PCT Rule 13b1s)

A. The indications made below relate to the deposited microorganism or other biological material referred to in the description on page <u>12</u> , line <u>21 - 28</u>	
B. IDENTIFICATION OF DEPOSIT Further deposits are identified on an additional sheet <input type="checkbox"/>	
Name of depositary institution DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH	
Address of depositary institution (including postal code and country) Mascheroder Weg 1b 38124 Braunschweig DE	
Date of deposit November 14, 2003	Accession Number DSM ACC2630
C. ADDITIONAL INDICATIONS (leave blank if not applicable) This information is continued on an additional sheet <input type="checkbox"/>	
D. DESIGNATED STATES FOR WHICH INDICATIONS ARE MADE (if the indications are not for all designated States)	
Europa The applicant hereby requests that, until the publication of the mention of the grant of a European patent or for 20 years from the date of filing if the application is refused or withdrawn or deemed to be withdrawn, the biological material shall be made available as provided in Rule 28(3) EPC only by the issue of a sample to an expert nominated by the requester (Rule 28(4) EPC). <div align="right">Continued on additional sheets</div>	
E. SEPARATE FURNISHING OF INDICATIONS (leave blank if not applicable)	
The indications listed below will be submitted to the International Bureau later (specify the general nature of the indications e.g., "Accession Number of Deposit")	
For receiving Office use only <input checked="" type="checkbox"/> This sheet was received with the international application Authorized officer Elisabeth Spelser EJ Tel: (070) 3401023	For International Bureau use only <input type="checkbox"/> This sheet was received by the International Bureau on: Authorized officer

DSMZ Deposit No. DSM ACC2630

Australia

The applicant hereby gives notice that the furnishing of a sample of a microorganism shall only be effected prior to the grant of a patent, or to the lapsing, refusal or withdrawal of an application, to a person who is a skilled addressee without an interest in the invention (Regulation 3.25(3) of the Australian Patents Regulation).

Canada

The applicant requests that, until either a Canadian patent has been issued on the basis of an application or the application has been refused, or is abandoned and no longer subject to reinstatement, or is withdrawn, the Commissioner of Patents only authorizes the furnishing of a sample of deposited biological material referred to in the application to an independent expert nominated by the Commissioner.

Denmark

The applicant hereby requests that, until the application has been laid open to public inspection (by the Danish Patent and Trademark Office), or has been finally decided upon by the Danish Patent and Trademark Office without having been laid open to public inspection, the furnishing of a sample shall only be effected to an expert in the art. Any request made by a third party for the furnishing of a sample shall indicate the expert to be used. That expert may be any person entered on a list of recognized experts drawn up by the Danish Patent and Trademark Office or any person approved by the applicant in the individual case.

Finland

The applicant hereby requests that, until the publication of the mention of the grant of a patent by the National Board of Patents and Registration or for 20 years from the date of filing if the application has been finally decided upon without resulting in the grant of a patent by the National Board of Patents and Registration, the furnishing of a sample shall only be effected to an expert in the art. Any request made by a third party for the furnishing of a sample shall indicate the expert to be used. That expert may be any person entered on a list of recognized experts drawn up by the National Board of Patents and or any person approved by the applicant in the individual case.

Iceland

The applicant hereby requests that, until a patent has been granted or a final decision taken by the Icelandic Patent Office concerning an application which has not resulted in a patent, the furnishing of a sample shall only be effected to an expert in the art. Any request made by a third party for the furnishing of a sample shall indicate the expert to be used. That expert may be any person entered on a list of recognized experts drawn up by Icelandic Patent Office or any person approved by the applicant in the individual case.

Norway

The applicant hereby requests that, until the application has been laid open to public inspection (by the Norwegian Patent Office), or has been finally decided upon by the Norwegian Patent Office without having been laid open to public inspection, the furnishing of a sample shall only be effected to an expert in the art. Any request made by a third party for the furnishing of a sample shall indicate the expert to be used. That expert may be any person entered on a list of recognized experts drawn up by Norwegian Patent Office or any person approved by the applicant in the individual case.

DSMZ Deposit No. DSM ACC2630

Singapore

The applicant hereby requests that the furnishing of a sample of a microorganism shall only be made available to an expert.

Slovenia

The applicant hereby requests that the furnishing of samples to a third party is subject to the condition that that party: (a) has the right to demand that a sample of the microorganism be made available; (b) has undertaken to ensure that the applicant does not authorize access to the sample of the deposited microorganism to any third party before the expiry of the prescribed period of validity of the patent.

Spain

The applicant hereby requests that, until the publication of the mention of the grant of a Spanish patent or for 20 years from the date of filing if the application is refused or withdrawn, the biological material shall be made available as provided in Article 45 SPL only by the issue of a sample to an independent expert.

Sweden

The applicant hereby requests that, until the application has been laid open to public inspection (by the Swedish Patent Office), or has been finally decided upon by the Swedish Patent Office without having been laid open to public inspection, the furnishing of a sample shall only be effected to an expert in the art. Any request made by a third party for the furnishing of a sample shall indicate the expert to be used. That expert may be any person entered on a list of recognized experts drawn up by the Swedish Patent Office or any person approved by the applicant in the individual case.

Switzerland

The applicant hereby requests that the furnishing of samples to a third party is subject to the condition that that party indicates to the depository institution its name and address for the purpose of information of the depositor and undertakes: (a) not to make available the deposited culture or a culture derived from it to a third party; (b) not to use the culture outside the purview of the law; (c) to produce, in case of a dispute, evidence that the obligations under items (a) and (b) have not been violated.

The former Yugoslav Republic of Macedonia

The applicant hereby requests that the furnishing of samples to a third party is subject to the condition that that party: (a) has a right to demand that a sample of the viable biological or microbiological material be made available; (b) has undertaken to ensure that the applicant does not authorize access to the sample of the deposited viable biological or microbiological material to any third party before the expiry of the prescribed period of validity of the patent.

United Kingdom

The applicant hereby gives notice and requests that a sample should be made available only to an expert.

**BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE**



INTERNATIONAL FORM

multimmune GmbH
c/o Klinikum der Universität Regensburg
Franz-Josef-Strauss-Allee 11
93053 Regensburg

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT
issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: cm Hsp70.2	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: DSM ACC2630
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
<p>The microorganism identified under I. above was accompanied by:</p> <p>() a scientific description () a proposed taxonomic designation</p> <p>(Mark with a cross where applicable).</p>	
III. RECEIPT AND ACCEPTANCE	
<p>This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on 2003-11-14 (Date of the original deposit)¹.</p>	
IV. RECEIPT OF REQUEST FOR CONVERSION	
<p>The microorganism identified under I above was received by this International Depositary Authority on (date of original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on (date of receipt of request) for conversion).</p>	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
<p>Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH</p> <p>Address: Mascheroder Weg 1b D-38124 Braunschweig</p>	<p>Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):</p> <p><i>V. Weiss</i></p> <p>Date: 2003-11-27</p>

¹ Where Rule 6.4 (d) applies, such date is the date on which the status of international depositary authority was acquired.

BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE



INTERNATIONAL FORM

multimmune GmbH
c/o Klinikum der Universität Regensburg
Franz-Josef-Strauss-Allee 11

93053 Regensburg

VIABILITY STATEMENT
Issued pursuant to Rule 10.2 by the
INTERNATIONAL DEPOSITARY AUTHORITY
Identified at the bottom of this page

I. DEPOSITOR	II. IDENTIFICATION OF THE MICROORGANISM
Name: multimmune GmbH c/o Klinikum der Universität Regensburg Address: Franz-Josef-Strauss-Allee 11 93053 Regensburg	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: DSM ACC2630 Date of the deposit or the transfer: 2003-11-14
III. VIABILITY STATEMENT	
The viability of the microorganism identified under II above was tested on 2003-11-17 On that date, the said microorganism was (x) viable () no longer viable	
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERFORMED*	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH Address: Mascheroder Weg 1b D-38124 Braunschweig	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): Date: 2003-11-27

* Indicate the date of original deposit or, where a new deposit or a transfer has been made, the most recent relevant date (date of the new deposit or date of the transfer).
 * In the cases referred to in Rule 10.2(a) (ii) and (iii), refer to the most recent viability test.
 * Mark with a cross the applicable box.
 * Fill in if the information has been requested and if the results of the test were negative.

BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE

PCT/EP2004/013858

DSMZ

Deutsche Sammlung von
Microorganismen und
Zellkulturen GmbH

INTERNATIONAL FORM

EPO - DG 1

04. 01. 2005

multimmune GmbH
c/o Klinikum der Universität Regensburg
Franz-Josef-Strauss-Allee 11

93053 Regensburg

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT
issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: cm Hsp70.2	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: DSM ACC2630
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I. above was accompanied by: () a scientific description () a proposed taxonomic designation (Mark with a cross where applicable).	
III. RECEIPT AND ACCEPTANCE	
This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on 2003-11-14 (Date of the original deposit).	
IV. RECEIPT OF REQUEST FOR CONVERSION	
The microorganism identified under I. above was received by this International Depositary Authority on (date of original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on (date of receipt of request) for conversion.	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: DSMZ-DEUTSCHE SAMMLUNG VON MICROORGANISMEN UND ZELLKULTUREN GmbH Address: Mascheroder Weg 1b D-38124 Braunschweig	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): V. Weiss Date: 2003-11-27

* Where Rule 6.4 (d) applies, such date is the date on which the status of international depositary authority was acquired.

Form DSMZ-BP14 (sole page) 12/2001

INTERNATIONAL SEARCH REPORT

International Application No
PCT/EP2004/013858

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 G01N33/68 C07K16/44

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 G01N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, MEDLINE, BIOSIS, EMBASE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 539 094 A (REED ET AL) 23 July 1996 (1996-07-23) the whole document	1-55
Y	TAKAYAMA S ET AL: "EXPRESSION AND LOCATION OF HSP70/HSC-BINDING ANTI-APOPTOTIC PROTEIN BAG-1 AND ITS VARIANTS IN NORMAL TISSUES AND TUMOR CELL LINES" CANCER RESEARCH, AMERICAN ASSOCIATION FOR CANCER RESEARCH, BALTIMORE, MD, US, vol. 58, no. 14, 15 July 1998 (1998-07-15), pages 3116-3131, XP000941973 ISSN: 0008-5472	1-55
X	the whole document	52,53
-/-		

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"Z" document member of the same patent family

Date of the actual completion of the international search

6 Apr11 2005

Date of mailing of the international search report

18/04/2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 851 apo rd,
Fax (+31-70) 340-3018

Authorized officer

Moreno de Vega, C

INTERNATIONAL SEARCH REPORT

International Application No.

PCT/EP2004/013858

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	TAKAYAMA SHINICHI ET AL: "An evolutionarily conserved family of Hsp70/Hsc70 molecular chaperone regulators" JOURNAL OF BIOLOGICAL CHEMISTRY, AMERICAN SOCIETY OF BIOLOGICAL CHEMISTS, BALTIMORE, MD, US, vol. 274, no. 2, 8 January 1999 (1999-01-08), pages 781-786, XP002182051 ISSN: 0021-9258 the whole document	1-55
Y	ANTOKU K ET AL: "ISOLATION OF BCL-2 BINDING PROTEINS THAT EXHIBIT HOMOLOGY WITH BAG-1 AND SUPPRESSOR OF DEATH DOMAINS PROTEIN" BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS, ACADEMIC PRESS, SAN DIEGO, CA, US, vol. 286, no. 5, 7 September 2001 (2001-09-07), pages 1003-1010, XP001071206 ISSN: 0006-291X the whole document	1-55
Y	BRIKNAROVA KLARA ET AL: "BAG4/SODD protein contains a short BAG domain" JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 277, no. 34, 23 August 2002 (2002-08-23), pages 31172-31178, XP001180035 ISSN: 0021-9258 the whole document	1-55
X	EICHHOLTZ-WIRTH H ET AL: "Altered signaling of TNFalpha-TNFR1 and SODD/BAG4 is responsible for radioresistance in human HT-R15 cells" ANTICANCER RESEARCH, vol. 22, no. 1A, January 2002 (2002-01), pages 235-240, XP009027254 ISSN: 0250-7005 the whole document	22,52-54
Y		1-55
Y	WO 00/14106 A (THE BURNHAM INSTITUTE) 16 March 2000 (2000-03-16) the whole document	1-55
X		34-37, 52-54
	-/-	

INTERNATIONAL SEARCH REPORT

International Application No
PCT/EP2004/013858

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	TOWNSEND. P. A. ET AL: "Bag-1 expression in human breast cancer: interrelationship between BAG-1 RNA, protein, HSC70 expression and clinico pathological data" THE JOURNAL OF PATHOLOGY, vol. 197, no. 1, May 2002 (2002-05), pages 51-59, XP009027243	1-55
X	the whole document	52, 53

INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP2004/013858

Box II Observations where certain claims were found unsearchable (Continuation of Item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: —
because they relate to subject matter not required to be searched by this Authority, namely:
Although claim 21 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2004/013858

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5539094	A	23-07-1996	AU 687952 B2	05-03-1998
			AU 1174295 A	29-05-1995
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